

**WAYS & MEANS, REAL ESTATE TRANSACTIONS AND FINANCE COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE**

Minutes

A REGULAR MEETING OF THE WAYS & MEANS, REAL ESTATE TRANSACTIONS AND FINANCE COMMITTEE OF THE SUFFOLK COUNTY LEGISLATURE WAS HELD IN THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM OF THE WILLIAM H. ROGERS LEGISLATURE BUILDING, VETERANS MEMORIAL HIGHWAY, SMITHTOWN, NEW YORK, ON **MARCH 4TH, 2003.**

MEMBERS PRESENT:

LEGISLATOR GEORGE O. GULDI - CHAIRMAN
LEGISLATOR ANDREW A. CRECCA - VICE CHAIRMAN
LEGISLATOR DAVID BISHOP
LEGISLATOR MICHAEL J. CARACCILO
LEGISLATOR GINNY FIELDS
LEGISLATOR VIVIAN VILORIA FISHER
LEGISLATOR MARTIN W. HALEY

ALSO IN ATTENDANCE:

PAUL SABATINO, II - COUNSEL TO THE LEGISLATURE
TOM DONOVAN - AIDE TO LEGISLATOR GULDI
EBEN BRONFMAN - AIDE TO LEGISLATOR GULDI
CARL YELLON - AIDE TO LEGISLATOR CRECCA
FRANK TASSONE - AIDE TO LEGISLATOR CRECCA
RAY ZACCARO - AIDE TO LEGISLATOR BISHOP
IVAN YOUNG - PRESIDING OFFICER'S OFFICE
ROGER PODD - PRESIDING OFFICER'S OFFICE
ALEXANDRA B. SULLIVAN - CHIEF DEPUTY CLERK, SUFFOLK COUNTY LEGISLATURE
KEN KNAPPE - COUNTY EXECUTIVE'S OFFICE
BILL FAULK - COUNTY EXECUTIVE'S OFFICE
JIM SPERO - BUDGET REVIEW OFFICE
CHRISTINE COSTIGAN - DIRECTOR OF REAL ESTATE
TOM ISLES - DIRECTOR OF PLANNING
JIM BURKE - DIVISION OF REAL ESTATE
KRISTINE CHAYES - CIVIL SERVICE/HUMAN SERVICES.
CHRIS O'CONNOR - NEIGHBORHOOD NETWORK.
KENNETH E. PHALEN - DEPARTMENT OF PUBLIC WORKS.
CHRISTINA CAPOBIANCO - COMPTROLLER - SROTB
NEIL TIGER - ASSOCIATE COUNSEL - SROTB
NEAL LEWIS - LONG ISLAND NEIGHBORHOOD NETWORK
ALL OTHER INTERESTED PARTIES

MINUTES TAKEN BY:

ANA GRANDE- COURT STENOGRAPHER

(THE MEETING WAS CALLED TO ORDER AT 11:45 A.M.)

CHAIRMAN GULDI:
WE'LL CALL THE MEETING TO ORDER WITH THE PLEDGE OF ALLEGIANCE LED BY
LEGISLATOR CARACCILO.

(SALUTATION)

CHAIRMAN GULDI:
DO YOU HAVE COPIES OF THE RESO, MR. TIGER?

MR. TIGER:
YES.

CHAIRMAN GULDI:
DO YOU HAVE ENOUGH FOR EVERYONE?

MR. TIGER:
I BELIEVE SO.

CHAIRMAN GULDI:
THEN LET'S CALL THAT FIRST. ALTHOUGH LORI STORMS FILLED OUT THE FIRST
CARD. IS LORI STORMS HERE? YOU FILLED OUT THE FIRST CARD, DO YOU WANT
TO GO FIRST?

MS. STORMS:
SURE.

CHAIRMAN GULDI:
IT'S LAUREN, SORRY.

MS. STORMS:
THAT'S OKAY. GOOD MORNING. MY NAME IS LAUREN STORMS. I'M
REPRESENTING THE PINE BARRENS TODAY.

CHAIRMAN GULDI:
YOU DON'T NEED TO USE THE PODIUM, YOU CAN SIT, IF YOU WISH.

MS. STORMS:
OH, OKAY. THANK YOU. I'M REPRESENTING THE PINE BARRENS.
SOCIETY TODAY. AS YOU KNOW, DICK AMPER USUALLY SPEAKS FOR THE PINE
BARRENS SOCIETY, BUT HE COULDN'T BE HERE TODAY.

CHAIRMAN GULDI:
THAT'S GOOD FOR US. WE'RE NOT COMPLAINING.

MS. STORMS:

LUCKY YOU GUYS. SO I'M HERE TO SPEAK ON TWO THINGS, AND I'M NOT EVEN POSITIVE IF THEY'RE BOTH ON THE AGENDA TODAY, BUT I THINK THEY ARE. ONE IS ON LEGISLATOR COOPER'S BILL HAVING TO DO WITH ENFORCEMENT REFORMS TO THE PINE BARRENS ACT.

AND LEGISLATOR COOPER'S BILL IS NEARED FOR ENFORCEMENT. NOW THAT THE TOWNS HAVE INDEED CREATED THEIR OWN TOUGHER PENALTY PROVISIONS, THE COUNTY MUST PROTECT ITS ASSETS. WE NEED TO BE SURE THAT IF THE TOWNS DON'T ENFORCE THEIR RULES, THAT THE COUNTY CAN STILL DO SO.

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AND THE SECOND THING I WAS GOING TO SPEAK ON IS LEGISLATOR CARACCILO'S BILL. ALTHOUGH WE ARE SURE HE MEANS WELL, IT HURTS MORE THAN IT HELPS. I HAVE PROVIDED YOU, ALL OF THE LEGISLATORS WITH A LETTER WRITTEN TO LEGISLATOR CARACCILO DETAILING THE PROBLEMS ASSOCIATED WITH THIS BILL.

THIS LEGISLATION HAS SOME SERIOUS FLAWS THAT FURTHER JEOPARDIZE THE SUFFOLK COUNTY LAND PRESERVATION PROGRAM. THE SOCIETY MET WITH THE LEGISLATURE'S ENVIRONMENTAL LAND ACQUISITION COMMITTEE YESTERDAY AND URGED THE LEGISLATURE TO PRO ACTIVELY SEEK ANY LEGISLATION POSSIBLE THAT WOULD RESULT IN INCREASED ACQUISITION UNDER THESE PROGRAMS CONSISTENT WITH THE LAW. THANK YOU. AND I ALSO HAVE ADDITIONAL COPIES OF THAT LETTER IF ANYONE HERE TODAY WANTS TO SEE IT.

CHAIRMAN GULDI:

YES. COULD YOU PLEASE DISTRIBUTE THE COPIES OF THE LETTER, BECAUSE THAT BILL IS IN THIS COMMITTEE, BUT YESTERDAY UNDER THE LEADERSHIP OF LEGISLATOR BISHOP, THE ELAP COMMITTEE, AS ITS BECOME KNOWN, ADOPTED UNANIMOUSLY, I BELIEVE, LEGISLATOR COOPER'S REVISED RESOLUTION REGARDING ENFORCEMENT OF PENALTIES IN THE PINE BARRENS.

LEGISLATOR CARACCILO'S BILL IS BEFORE US TODAY. DO YOU HAVE ANY QUESTIONS FOR THE SPEAKER?

LEG. CARACCILO:

NO. I HAVE NO QUESTIONS, EXCEPT TO COMMENT THAT I'D LIKE TO THANK DICK AMPER FOR HIS REVIEW OF THE PROPOSED LEGISLATION AND I CERTAINLY WILL CONSIDER HIS SUGGESTIONS. THE CHAIRMAN AND I HAVE DISCUSSED THIS BILL AND WE WILL CONTINUE TO DISCUSS WHERE THE SPONSOR FEELS WE CAN MAKE SOME ADJUSTMENTS, I CERTAINLY WOULD CONSIDER THAT.

MS. STORMS:

THANK YOU.

LEG. CARACCILO:

THANK YOU.

CHAIRMAN GULDI:

THANK YOU. YOU KNOW, YOU SHOULD NEVER LET COMMISSIONER TIGER WRITE THE CARDS, BECAUSE IT RESULTS IN THEM BEING COMPLETELY ILLEGIBLE, BUT THERE'S SOMEONE HERE WITH NEIL TIGER WHOSE NAME APPEARS TO BE CHRISTINA, LAST NAME UNKNOWN.

MS. CAPOBIANCO:
CAPOBIANCO.

CHAIRMAN GULDI:

COME FORWARD, PLEASE. YOU'RE HERE ON SUFFOLK COUNTY REGIONAL OTB'S, AN ISSUE ABOUT REGULATORY FEES. TOM, COULD YOU GET THE PACKETS AND DISTRIBUTE THEM.

NOW, THIS RESOLUTION IS NOT ON OUR AGENDA. COMMISSIONER TIGER REACHED ME THE END OF LAST WEEK AND BROUGHT THIS TO MY ATTENTION. IT WILL BE A SENSE RESOLUTION THAT I INTEND TO MOVE AT NEXT TUESDAY'S MEETING AND I, THEREFORE, REQUESTED THAT THEY BE HERE THIS MORNING TO MAKE A PRESENTATION ON THE SUBJECT.

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COMMISSIONER TIGER, IF YOU WOULD OR -- THAT'S RIGHT, YOU'RE FORMERLY COMMISSIONER, THAT'S RIGHT. YOU'LL ALWAYS BE COMMISSIONER TO ME, EVEN IF HE'S BEEN PUT OUT TO TRACK.

MR. TIGER:

THANK YOU, LEGISLATOR GULDI. YOU WILL ALWAYS BE LEGISLATOR GULDI TO ME.

CHAIRMAN GULDI:

I'M SURE I WON'T THANK YOU FOR THAT. FORTUNATELY, I'VE GOT TERM LIMITS.

MR. TIGER:

LET ME JUST INTRODUCE THE TOPIC AND THEN CHRISTINA CAN GO INTO MORE DEPTH ON THE FINANCIAL IMPLICATIONS OF IT. THE GOVERNOR IN HIS LEGISLATIVE BUDGET PACKET THIS YEAR IS PROPOSING THAT THE NEW YORK STATE RACING AND WAGERING BOARD BE FUNDED BY THE IMPLEMENTATION OF A ONE-HALF OF ONE PERCENT REGULATORY FEE ON ALL OF THE HANDLE OF THE REGIONAL OTB'S, NYRA AND RACETRACKS.

AS CHRISTINA WILL EXPLAIN TO YOU, THIS PAST YEAR, FOR 2002, SUFFOLK REGIONAL OTB WAS ABLE TO TURN OVER TO THE COUNTY OVER SIX MILLION DOLLARS. HAD THIS FEE BEEN IN EFFECT AT THE TIME, THAT AMOUNT WOULD HAVE BEEN REDUCED BY APPROXIMATELY A MILLION DOLLARS.

AND WHAT WE ARE ASKING IS FOR A SENSE RESOLUTION FROM THIS LEGISLATURE TO THE GOVERNOR, TO THE MAJORITY LEADER OF THE STATE SENATE, TO THE SPEAKER OF THE ASSEMBLY AND TO THE MEMBERS OF THE LONG ISLAND

DELEGATION TO NOT IMPLEMENT THIS TYPE OF REGULATORY FEE, BECAUSE IT'S EFFECT WILL DIRECTLY IMPACT ON THE FINANCIAL CONDITION OF THE TAXPAYERS IN THIS COUNTY. AND CHRISTINA CAN EXPLAIN TO YOU AND REVIEW WITH YOU THE MATERIALS THAT SHE PREPARED FOR YOU. THANK YOU.

CHAIRMAN GULDI:
GO AHEAD.

MS. CAPOBIANCO:
IN YOUR PACKET THAT YOU'RE --

CHAIRMAN GULDI:
TURN THE MIKE ON. THERE'S A SWITCH AT THE TOP, IN THE MIDDLE AT THE TOP BY THE BALL. AND HAVE YOU TO JUST PUT IT RIGHT IN YOUR FACE.

MS. CAPOBIANCO:
OKAY. THANK YOU. IN YOUR PACKET THERE'S A GLOSSY HANDOUT WHERE WE WERE, WHERE WE ARE NOW, WHERE WE'RE GOING. THE FIRST PAGE JUST STATES WHY WE WERE CREATED IN 1970, AND THAT WAS TO GENERATE REVENUE FOR LOCAL GOVERNMENT, TO CURB ILLEGAL BOOK MAKING AND INSURE THE WELL-BEING OF THE HORSE RACING INDUSTRY.

THE NEXT PAGE SHOWS THE HISTORY OF OUR HANDLE OVER THE YEARS. OUR HANDLE IN 2002 WAS TWO HUNDRED AND FIVE MILLION TWO HUNDRED AND FORTY-SEVEN THOUSAND DOLLARS. NOW, THIS REGULATORY FEE THAT THE GOVERNOR IS PROPOSING WOULD TAKE A HALF A PERCENT OF THIS HANDLE AND TURN IT OVER TO THE NEW YORK STATE GOVERNMENT TO FUND THE RACING AND WAGERING BOARD.

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LEG. CRECCA:
CHRISTINA, THE HANDLE MEANS GROSS RECEIPTS?

MS. CAPOBIANCO:
THE HANDLE IS GROSS RECEIPTS, IT'S EVERY BETTING DOLLAR. IT'S HALF A PERCENT OF EVERY BETTING DOLLAR.

LEG. BISHOP:
WOULD THIS IMPACT THE TAKE? IN OTHER WORDS, WOULD THE GAMBLERS SEE THEIR ODDS CHANGE?

MS. CAPOBIANCO:
NO, IT WOULD NOT AFFECT THAT.

LEG. BISHOP:
OKAY.

MS. CAPOBIANCO:
NO. IT WOULD GO RIGHT TO THE BOTTOM LINE. FOR INSTANCE, OUR BOTTOM

LINE PROFIT FOR 2002 WAS SIX MILLION TWO HUNDRED AND TWENTY-ONE THOUSAND FIVE HUNDRED AND FIFTY ONE DOLLARS, AND THAT'S A CHECK THAT WE GAVE TO SUFFOLK COUNTY. THAT CHECK WOULD BE REDUCED BY A MILLION AND TWELVE THOUSAND DOLLARS.

IN 1980, IF YOU FLIP TWO PAGES INTO THE PROGRAM, WE HAD GIVEN THE COUNTY FORTY-SIX PERCENT OF OUR TOTAL REVENUE. THROUGH THE YEARS WITH CHANGES IN REGULATIONS, THAT AMOUNT HAS BEEN DECREASED TO TWENTY-THREE PERCENT OF OUR BOTTOM LINE REVENUE GOING TO SUFFOLK COUNTY AND SIXTY-THREE PERCENT GOING TO THE RACING INDUSTRY.

LEG. FISHER:
WHAT PAGE ARE YOU ON?

MS. CAPOBIANCO:
SORRY THEY'RE NOT NUMBERED. THE PAGE THAT'S TITLED, "SUFFOLK OTB 2002 REVENUE ALLOCATION."

LEG. FISHER:
OKAY.

MS. CAPOBIANCO:
IT'S ABOUT FIVE OR SIX PAGES IN. THAT ONE. RIGHT. THAT SHOWS THAT THE PORTION OF THE PIE THAT SUFFOLK COUNTY GETS, IT'S TWENTY-THREE PERCENT. IF YOU FLIP TO THE NEXT PAGE, IT SHOWS THE REVENUE ALLOCATION WITH THE REGULATORY FEE THE GOVERNOR IS SUGGESTING IMPOSED, THAT WOULD CUT DOWN THE AMOUNT WE GIVE SUFFOLK COUNTY TO NINETEEN PERCENT.

LEG. CRECCA:
SORRY, WHAT PAGE ARE YOU LOOKING AT? I'M NOT SEEING THAT.

LEG. FISHER:
I'M NOT SEEING THOSE NUMBERS EITHER.

CHAIRMAN GULDI:
THE ONES WITH THE PAPER CLIP.

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MS. CAPOBIANCO:
THE ONES WITH THE PAPER CLIP, YES.

LEG. CRECCA:
I HAVE NO PAPER CLIPS.

CHAIRMAN GULDI:
RIGHT THERE.

LEG. CRECCA:
OH, YEAH, LOOK AT THOSE PAPER CLIPS.

MS. CAPOBIANCO:
WE'RE TRYING TO MAKE IT EASY FOR YOU, ANDREW.

LEG. CRECCA:
I APPRECIATE THAT, BUT IT STILL DOESN'T WORK, AS YOU NOTICE.

CHAIRMAN GULDI:
NOW IF YOU CAN READ IT TO HIM.

LEG. CRECCA:
NO, I CAN READ IT, THAT'S ALL RIGHT. PIE CHARTS ARE GOOD, THEY'RE BIG,
COLORFUL, THERE'S ARROWS.

LEG. FISHER:
CHRISTINA, IN 1980, IT WAS FORTY-SIX PERCENT?

MS. CAPOBIANCO:
YES. THERE'S BEEN DIFFERENT CHANGES IN THE LAW OVER THE LAST TWENTY
YEARS WHERE WE'RE GIVING MORE OF OUR MONEY THROUGH --

LEG. BISHOP:
THIS IS JUST THE STATE TAKING SOME OF OUR MONEY.

LEG. CRECCA:
IT'S A VERY SIMPLE ISSUE.

MS. CAPOBIANCO:
THE STATE RACING INDUSTRY HAD TAKEN MOST OF IT AND NOW THE STATE WANTS
TO TAKE MORE OF IT, MEANING LESS FOR SUFFOLK COUNTY.

LEG. CRECCA:
OKAY. THIS IS ABOUT AS EASY AS IT GETS.

MS. CAPOBIANCO:
AND THE GRAPH ON THE NEXT PAGE, THE LINE GRAPH ALSO SHOWS HOW SUFFOLK'S
SHARE HAS DECREASED OVER THE YEARS. THIS WOULD JUST, YOU KNOW, IT
WOULD DECREASE FROM TWENTY-THREE PERCENT TO NINETEEN PERCENT.

LEG. BISHOP:
DOES THE STATE OFFER A JUSTIFICATION FOR THIS?

CHAIRMAN GULDI:
THEY NEED THE MONEY.

LEG. BISHOP:
I UNDERSTAND.

MS. CAPOBIANCO:

I THINK THEY'RE LOOKING TO USE IT TO FUND THE RACING AND WAGERING BOARD, WHICH IS THE BOARD THAT GOVERNS US, THE OTB'S.

LEG. BISHOP:

I SEE. SO THERE'S A CENTRAL ADMINISTRATION THAT GOVERNS ALL THE OTB'S?

MS. CAPOBIANCO:

IT ALSO GOVERNS NYRA AND BINGO, IT GOVERNS ALL THOSE TYPES OF AGENCIES IN NEW YORK, BUT THE OTB'S WOULD BE CHARGED WITH THE FUNDING OF IT.

LEG. CRECCA:

MAY I ASK A QUESTION, MR. CHAIRMAN?

CHAIRMAN GULDI:

GO AHEAD. YOU'RE THE FIRST ONE TO ASK.

LEG. CRECCA:

WHAT'S CAUSED OUR SHARE TO GO FROM FIFTY-THREE PERCENT TO TWENTY-THREE PERCENT OVER THE YEARS, IF YOU CAN GIVE ME A BRIEF EXPLANATION, YOU, KNOW FROM THE EARLY 70'S THROUGH NOW?

CHAIRMAN GULDI:

FISCAL CRISIS.

LEG. BISHOP:

THEY GET TO DO THIS EVERY YEAR.

LEG. CRECCA:

THAT'S WHAT I'M SAYING, IS THIS THE STATE THAT'S BEEN TAKING THAT OTHER SHARE?

MS. CAPOBIANCO:

NO. ACTUALLY, THAT MONEY WASN'T GOING TO THE STATE, IT WAS GOING TO THE RACING INDUSTRY, IT WAS GOING TO NYRA AND TO THE BREEDER'S FUNDS AND THE THOROUGHBRED TRACKS.

LEG. CRECCA:

IT'S SLOWLY BEEN SCALED BACK, IS THAT WHAT IT IS?

MS. CAPOBIANCO:

YES.

MR. TIGER:

ALL RIGHT. THE STATE HAS OVER THE YEARS CHANGED THE FORMULA, AND AS YOU MAY OR MAY NOT BE AWARE, THERE WAS OPPOSITION FROM NYRA AND THE RACETRACKS TO THE CREATION OF THE OTB'S. THOUGH IT HAS TURNED OUT -- THOUGH IT HAS TURNED OUT HISTORICALLY THAT WE ACTUALLY GIVE MORE MONEY TO THEM THAN THEY MAKE AT THEIR TRACKS. AND ONE OF THE -- NO, IT'S TRUE, LEGISLATOR BISHOP.

LEG. BISHOP:

THERE'S NO ATTENDANCE ANYMORE AT THE TRACKS, BECAUSE EVERYONE GOES TO

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OTB, THEY KILLED THE TRACKS.

MR. TIGER:

THAT'S TRUE. THERE ARE ALSO -- NOT EVERYTHING IN THE PROPOSALS BEFORE THE STATE LEGISLATURE THIS YEAR NEGATIVELY IMPACT ON US. THERE ARE -- THERE ARE PROPOSALS THAT WOULD AUTHORIZE NIGHTTIME SIMULCASTING OF THOROUGHbred RACING, WHICH WILL WE BELIEVE GREATLY INCREASE OUR HANDLE AND OUR ABILITY TO TURN MORE FUNDS OVER TO THE STATE.

BUT THERE HAS BEEN A CONFLICT WITHIN THE WAGERING COMMUNITY, BETWEEN NYRA AND THE TRACKS AND THE RACING ASSOCIATIONS AND THE STATE AND THE OFF-TRACK BETTING CORPORATIONS, AND THAT'S WHY YOU SEE THESE, THESE VARIOUS ADJUSTMENTS.

LEG. CRECCA:

MORE HANDS IN THE POT?

MR. TIGER:

YES. AND KEEPING CERTAIN HANDS MORE SATISFIED THAN OTHERS. IT'S AN ORWELLIAN THEORY.

LEG. CRECCA:

I HAVE ONE OTHER QUESTION, IF YOU CAN ANSWER IT QUICKLY, OR IF NOT, I UNDERSTAND, BECAUSE I'M ASKING YOU FOR A FIGURE. OF THAT TWO HUNDRED AND TWO MILLION DOLLAR HANDLE, TWO HUNDRED FIVE, APPROXIMATELY WHAT PERCENTAGE IS PAID BACK FOR THE DEBT? IN OTHER WORDS, FOR --

MR. TIGER:

FOR WINNING WAGES?

LEG. CRECCA:

THANK YOU, WINNINGS.

MS. CAPOBIANCO:

SEVENTY-SIX PERCENT GOES BACK FOR WINNING WAGERS.

LEG. CRECCA:

OKAY.

CHAIRMAN GULDI:

LEGISLATOR CARACCILO IS NEXT.

LEG. CARACCILO:

THANK YOU. IN TERMS OF THE OPERATING EXPENSES AT OTB, I DON'T SEE A

CHART HERE THAT ADDRESSES THAT, BUT IF WE WANT TO GO BACK HISTORICALLY AND LOOK AT IT IN THE LAST TEN TO FIFTEEN YEARS, IS THAT A DOWNWARD OR AN UPWARD TREND, ADMINISTRATIVE COSTS, THE LOCAL OTB?

MS. CAPOBIANCO:

WELL, I'D HAVE TO SAY THAT IT'S AN UPWARD COST. AS OUR CONTRACTS GO UP, WE HAVE TWO UNIONS, YOU KNOW, SALARIES ALWAYS GO UP, OUR RENT OF OUR FACILITIES, THAT GENERALLY HAS A COST INCREASE. SO I'D HAVE TO SAY THAT OUR EXPENSES HAVE INCREASED OVER THE YEARS.

ALSO, SOME OF OUR EXPENSES ARE BASED ON WHAT OUR HANDLE IS. FOR INSTANCE, WE HAVE A TOTE SYSTEM, THAT IS OUR COMPUTER SYSTEM OF ALL OUR

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WAGERING, THAT'S A PERCENTAGE OF HANDLE. SO AS HANDLE GOES UP, THAT COST IS GOING TO GO UP.

LEG. CARACCIOLO:

HAS THE MOST RECENT ANNUAL REPORT FOR SUFFOLK OTB BEEN -- IS THAT PRINTED, HAS THAT BEEN DISTRIBUTED?

MS. CAPOBIANCO:

NO, NOT YET. IT'S DUE TO THE SUFFOLK COUNTY, IT'S DUE ON MARCH 31ST. AND RIGHT NOW WE'RE IN THE MIDST OF AN AUDIT, SO IT WILL BE DONE BY THE END OF THE MONTH.

LEG. CARACCIOLO:

OKAY. JIM SPERO, YOU MAY NOT BE PREPARED TO ANSWER THIS QUESTION RIGHT NOW, BUT WHICH ANALYST IN BRO TRACKS SUFFOLK OTB?

MR. SPERO:

VICTORIA SIRACUSA HAD BEEN DOING IT, AND SHE RETIRED LAST YEAR, AND NOW KEVIN DUFFY HAS PICKED IT UP.

LEG. CARACCIOLO:

OKAY. I HAVE OTHER QUESTIONS, WHICH I'M SURE KEVIN CAN RESPOND TO SEPARATELY FROM THERE MEETING, BUT I THINK FROM OUR PERSPECTIVE, IT'S CLEAR THAT WHAT THE STATE IS ATTEMPTING TO DO IS TAKE MORE SHARE, BECAUSE THE STATE NEEDS MORE MONEY, WE NEED MORE MONEY AND EVERYBODY IS LOOKING EVERYWHERE THEY CAN TO TRY TO SECURE FUNDS TO MEET BUDGET DEFICITS.

AND IT'S NOT UNIQUE TO NEW YORK OR NEW YORK STATE, IT'S A NATIONAL PROBLEM AND WE'RE -- IT'S A CHALLENGE WE ALL HAVE TO FACE, WHICH I HOPE, MR. CHAIRMAN, WHEN WE GET INTO THIS MEETING, THE FINANCE PORTION OF THIS MEETING, WE CAN START TO TALK ABOUT ADOPTING SOME BUDGET SOLUTIONS TO OUR OWN FINANCIAL CRISIS AS THE YEAR PROGRESSES AND RATHER THAN WAIT TILL SEPTEMBER AND OCTOBER TO START ADDRESSING SOME SERIOUS ISSUES.

CHAIRMAN GULDI:

WELL, THE OVERALL BUDGET -- WELL, MIKE CAN DO THIS, YESTERDAY WE HAD A BUDGET REVIEW STEERING COMMITTEE WHERE WE TALKED ABOUT THE IMPACT OF THE GOVERNOR'S BUDGET, AND FRANKLY, THE GOVERNOR'S PROPOSALS ARE SO HUGE AND SO UNCERTAIN AT THIS POINT THAT THE SWING, THAT THE DIFFERENCE BETWEEN IF HE DOES THE ORIGINAL BUDGET TO SOME OF THE PROBABLE OR POSSIBLE ALTERNATE APPROACHES, THE SWING IS A HUNDRED AND TWENTY MILLION DOLLARS. THE --

LEG. CARACCILO:

WHAT IS THE BASE? WHAT IS THE MINIMUM, WHAT'S THE MINIMUM AND WORSE CASE SCENARIO, WHAT'S THE RANGE?

CHAIRMAN GULDI:

WELL, AT THIS POINT, MY CONCLUSION IS THAT AT THIS POINT IT'S TOO SOON TO TELL, BECAUSE IT'S TOO INDEFINITE ABOUT HOW MUCH OF THE ORIGINAL PACKAGE OR THE MODIFIED PACKAGE IS GOING TO BE IN THE BUDGET. BUT I THINK TO QUOTE FRED POLLERT YESTERDAY, HE'S NEVER SEEN ONE WHERE THE DIFFERENCES WERE THIS EXTREME.

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LEG. CARACCILO:

OKAY. BUT THERE IS, MR. SPERO, IF YOU COULD RESPOND TO A QUESTION, THERE IS A MINIMUM IMPACT THAT WE CAN ANTICIPATE GOING FORWARD '04 ON THE COUNTY OF SUFFOLK, WHAT IS THAT NUMBER, MINIMUM?

MR. SPERO:

THE NUMBER, THE HUNDRED AND TWENTY MILLION IS OVER AND ABOVE WHAT WE'VE BUDGETED FOR THIS YEAR. WE'RE LOOKING AT THE DIFFERENCE IN THE COSTS.

LEG. CARACCILO:
RIGHT.

MR. SPERO:

SO, AT BEST, WE WOULD -- OUR EXPENSES WOULD BE WHAT WE BUDGETED, BUT IT'S CERTAINLY NOT GOING TO APPEAR TO BE THAT WAY, DEPENDING ON WHAT HAPPENS IN ALBANY. AND THE POINT IS IT'S SO DRASTIC, AS LEGISLATOR GULDI POINTED OUT, THAT --

LEG. CARACCILO:

BUT THE FACT IS THAT IT'S GOING TO AFFECT US, OUR PENSION CONTRIBUTIONS AND WHETHER OR NOT THE STATE LEGISLATURE AND THE GOVERNOR CAN REACH AN AGREEMENT TO PROVIDE A PAY OUT, AMORTIZE THAT PENSION CONTRIBUTION OVER A NUMBER OF YEARS AS THEY'VE DONE BEFORE. SO FAR FROM WHAT I READ ON THE WEB, COMPTROLLER HEVESY IS OPPOSED TO THAT. OR, OR -- AND IN ADDITION TO THAT, WE KNOW MEDICAID COSTS ARE SKYROCKETING. SO I MEAN THOSE ARE TWO AREAS THAT WE KNOW AT A MINIMUM WE'RE GOING TO BE ADVERSELY AFFECTED BY UNFUNDED STATE, WELL, ONE IS NOT A MANDATE, ONE

IS ONE ISN'T.

BUT THAT SAID, AGAIN, WHAT IS THE BASELINE NUMBER THAT BUDGET REVIEW CITED IN THE 2003 BUDGET LOOKING AHEAD, MULTI-YEAR BUDGET FORECASTING? I SEEM TO RECALL THE NUMBER WAS IN EXCESS OF A HUNDRED MILLION DOLLARS.

CHAIRMAN GULDI:

I DON'T REALLY, MIKE, WE WILL SPEND A HUGE AMOUNT OF TIME ON THIS WHEN WE HAVE THE DATA IN FRONT OF US, WE DON'T HAVE IT THERE TODAY. JIM, ARE YOU READY TO RESPOND TO THIS?

MR. SPERO:

JUST TWO QUICK POINTS.

CHAIRMAN GULDI:

OR WE CAN SHELVE THIS DISCUSSION, BECAUSE WE WILL HAVE IT AD NAUSEAM.

MR. SPERO:

TWO QUICK POINTS. AS WE SPEAK, MEDICAID COSTS ARE INCREASING AT ABOUT A TWELVE PERCENT RATE. AND IF IT GOES LIKE THIS, IT WILL BE HIGHER THAN WHAT WE'VE BUDGETED FOR THIS YEAR.

LEG. CARACCILO:

ALL I'M GETTING AT, MR. CHAIRMAN, IS I THINK WE, THE LEGISLATIVE BRANCH, HAVE A RESPONSIBILITY, WE CAN'T POINT THE BLAME TO ALBANY, TO WASHINGTON, TO ANY PLACE ELSE, WE HAVE TO DEAL WITH OUR OWN BUDGET AND THE SOONER WE START DEALING WITH IT, THE BETTER, AND NOT WAIT UNTIL THE COUNTY EXECUTIVE SUBMITS HIS BUDGET FOR 2004 OR IT COMES BEFORE US IN A WEEK OR SO WITH A STATE OF THE COUNTY ADDRESS TELLING US HOW DIRE THE

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SITUATION IS.

IT SEEMS TO ME IF ONE BRANCH OF COUNTY GOVERNMENT KNOWS, AND I'M LOOKING AT RIGHT NOW HIS BUDGET UPDATE PRESS CONFERENCE, PRESS RELEASE OF FEBRUARY 20TH, AND HE CITES VERY CLEARLY THAT THERE'S A BLEAK -- WE'RE FACING A VERY BLEAK SITUATION. SO I FIND IT HARD TO BELIEVE THAT THE BUDGET REVIEW OFFICE DOESN'T HAVE SOME MINIMUM IDEA OF WHAT THE DEFICIT GOING FORWARD IS GOING TO BE.

AND MY POINT, JUST IN CLOSING, IS THAT THE SOONER THIS COMMITTEE STARTS ADDRESSING THE FINANCIAL NEEDS OF THE COUNTY, THE BETTER. I'VE SAID THIS A MONTH AGO, I'M GOING TO SAY IT EVERY COUPLE OF WEEKS, YOU KNOW, WE CAN'T JUST BURY OUR HEADS AND PRETEND THIS PROBLEM IS GOING AWAY, IT'S NOT GOING AWAY.

CHAIRMAN GULDI:

WELL, WE'RE NOT DOING THAT, MIKE, BUT WE'RE TALKING ABOUT LITERALLY THE WORK THAT'S GOING ON NOW, THE SWING IS BIGGER THAN WE'VE EVER SEEN

BEFORE AND WE ARE WORKING ON IT AND WE WILL BE SPENDING A LOT OF TIME ON IT. LEGISLATOR BISHOP DID YOU WANT TO PILE ON?

LEG. BISHOP:

I WANT TO SAY THAT I THINK THAT THE APPROPRIATE TIME FOR THE COUNTY TO ROLL UP ITS SLEEVES AND DEAL WITH WHATEVER FISCAL CRISIS WE ARE FACING NEXT YEAR, BECAUSE I DO FEEL THAT THIS YEAR WE'RE STILL BALANCED OR NEAR BALANCED, BUT FOR NEXT YEAR'S PROBLEMS, THE PROBLEM TIME IS, IF WE WANT TO DO IT EARLY, IS AFTER THE STATE BUDGET IS COMPLETE. WE CAN'T DO ANYTHING UNTIL THE STATE BUDGET IS COMPLETE.

CHAIRMAN GULDI:
RIGHT.

LEG. BISHOP:

IF THE STATE BUDGET IS SO HORRENDOUS THAT IT'S SHIFTING TENS OF MILLIONS OF DOLLARS OF ITS RESPONSIBILITIES DOWN TO THE COUNTY, THEN PERHAPS WE SHOULD TAKE ACTION THAT SPECIFICALLY CALLS ATTENTION TO THE STATE TRANSFER TO THE LOCAL TAXPAYER.

SO, IN OTHER WORDS, WHAT I'M CONCEIVING OF IS A SPECIAL MEETING JUST TO DEAL WITH THE STATE, WITH THE IMPLICATIONS OF THE STATE BUDGET. BUT I DON'T THINK WE CAN DO ANYTHING, THE OVERALL POINT IS, UNTIL AFTER THE STATE IS COMPLETED.

THERE ALSO IS POTENTIAL GOOD THINGS THAT COULD OCCUR. FOR EXAMPLE, SENATOR SCHUMER BELIEVES THAT WITH HIS BIPARTISAN BILL WITH SENATOR SNOWE OF MAINE TO PROVIDE SIGNIFICANT REVENUES TO STATE AND LOCALITIES AS PART OF THE STIMULUS PACKAGE, THAT COULD PASS THIS YEAR AND RESULT IN, I BELIEVE THE NUMBER WAS --

CHAIRMAN GULDI:
EIGHTY-FOUR MILLION FOR SUFFOLK.

LEG. BISHOP:

I BELIEVE THE NUMBER WAS EIGHTY-FOUR MILLION. SO THAT COULD OCCUR AS WELL. SO IT'S A VERY FLUID DYNAMIC SITUATION, AND PERHAPS YOU'RE RIGHT, THAT WE SHOULD GET IF FRONT OF IT, NOT BEHIND IT, BUT THE TIME

TO DO THAT IS AFTER THE STATE BUDGET.

CHAIRMAN GULDI:

YEAH. WE'RE PREPARING TO DO THAT. I THINK, THOUGH, THAT THE REASON I PREPARED THIS RESOLUTION IS THAT IT'S A SMALL PART OF THE MIX. THE MILLION DOLLARS THAT THIS RESOLUTION PROPOSES TO TAKE FROM SUFFOLK COUNTY, TOGETHER WITH EVERYTHING ELSE THAT'S GOING ON IN THIS BUDGET, WOULD BE A DIRECT, DOLLAR FOR DOLLAR, PROPERTY TAX ADD.

FOR THAT REASON, I HAVE PREPARED AND DISTRIBUTED SENSE RESOLUTION 17. I WILL MOVE IT AT TUESDAY'S MEETING AS A SENSE RESOLUTION, THOUGH IT HAS -- IT HAS BEEN FILED, AND I URGE YOU TO CONSIDER JOINING ME AS CO-SPONSORS ON IT AND SUPPORTING IT.

LEG. BISHOP:
CO-SPONSOR.

LEG. FISHER:
CO-SPONSOR.

LEG. FIELDS:
YES.

LEG. BISHOP:
WHO ARE WE TELLING THAT TO?

CHAIRMAN GULDI:
PAUL SABATINO HAS A COPY HERE THAT HE'S MAKING NOTES ON, SO I BELIEVE WE'RE DOING IT THAT WAY. THANK YOU FOR BRINGING THIS TO OUR ATTENTION AND WE LOOK FORWARD TO SEEING YOUR ANNUAL REPORT. THANK YOU VERY MUCH FOR COMING DOWN THIS MORNING.

MR. TIGER:
THANK YOU VERY MUCH.

MS. CAPOBIANCO:
THANK YOU FOR YOUR TIME.

CHAIRMAN GULDI:
THE NEXT CARD I HAVE IS NONE OTHER THAN NEAL LEWIS FROM THE LONG ISLAND NEIGHBORHOOD NETWORK, WHO WANTS TO ENLIGHTEN US ON THE SUBJECT OF LEGISLATIVE DISTRICTS. COME ON DOWN.

MR. LEWIS:
GOOD MORNING, CHAIRMAN, MEMBERS OF THE COMMITTEE. NEAL LEWIS, EXECUTIVE DIRECTOR OF LONG ISLAND NEIGHBORHOOD NETWORK. I'M HERE TODAY FOR 1041, LEGISLATOR FISHER'S RESOLUTION OR LOCAL LAW, I'M NOT SURE WHICH, THAT WOULD ADDRESS THE QUESTION OF POTENTIALLY CREATING A 19TH LEGISLATIVE DISTRICT FOR SUFFOLK COUNTY.

BY WAY OF BACKGROUND, I'D LIKE TO POINT OUT THAT I HAD AN EXPERIENCE THAT SORT OF INFLUENCES MY THINKING ON THIS SUBJECT. I WAS A MEMBER OF THE NASSAU COUNTY CHARTER REVISION COMMISSION, WHICH WAS A SEVENTEEN PERSON COMMISSION APPOINTED IN I THINK '93, I KNOW WE ENDED OUR WORK IN '94, AND ONE OF THE SUBJECTS THAT, YOU KNOW, WAS THE RESULT OF A LAWSUIT, WE WERE CHARGED WITH COMING UP WITH A NUMBER OF CHANGES IN THE

CHARTER AND ONE OF THEM WAS TO CREATE A MAP AND A NUMBER OF DISTRICTS FOR THE NEW LEGISLATURE.

WE HAD MANY DISCUSSIONS ABOUT WHAT THAT NUMBER SHOULD BE AND THERE WAS BROAD CONSENSUS EARLY ON THAT WE SHOULD GO FOR AN ODD NUMBER. THERE'S BOTH THE PERCEPTION AND TO SOME EXTENT THE REALITY THAT AN EVEN NUMBER COULD RESULT IN SOME DIFFICULTIES IN MAKING CERTAIN DECISIONS, SO THE FEELING WAS THAT, AS I SAY, THAT ONE WAS SORT OF AGREED ON EARLY ON AND FAIRLY QUICKLY. THE QUESTION OF HOW MANY WAS SUBJECT OF MUCH FURTHER DISCUSSION.

AND I SHOULD POINT OUT THAT WE DID BENEFIT GREATLY FROM POSITIVE THINGS THAT HAVE TAKEN PLACE IN SUFFOLK COUNTY, FOR EXAMPLE, THE NEW NASSAU COUNTY CHARTER HAS A PROVISION FOR A BUDGET REVIEW OFFICE, WHICH WAS PRETTY MUCH WHOLESALE BORROWED FROM SUFFOLK COUNTY. AND THERE ARE SEVERAL OTHER EXAMPLES OF THINGS THAT THAT WAS THE CASE WITH.

BUT, THERE WAS, YOU KNOW, SOME FEELING THAT WE WANTED TO HAVE A NUMBER THAT WAS IN THE RANGE OF SUFFOLK'S, BUT TO AVOID THE EVEN NUMBER. THE MOST COMMONLY TALKED ABOUT NUMBERS WERE SEVENTEEN, NINETEEN, TWENTY-ONE AND TWENTY-THREE. THERE WAS A -- THERE WAS A GROUP THAT PUSHED HARD FOR THE NUMBER TWENTY-FIVE, ARGUING THAT THAT WOULD GIVE US SMALLER DISTRICTS IN THE RANGE OF FIFTY THOUSAND PERSON PER DISTRICT AND THAT THAT KIND OF SMALLER DISTRICT WOULD BRING GOVERNMENT CLOSER TO THE VOTERS.

BUT THE FEELING WAS THAT, THAT THAT NUMBER -- THERE WAS SOME PRACTICAL CONSIDERATIONS, THIS ROOM IS A LITTLE BIT BIGGER THAN THE NASSAU COUNTY LEGISLATURE ROOM AND THERE WAS A PRACTICAL CONSIDERATION OF WHETHER OR NOT YOU COULD FIT THAT MANY PEOPLE WITHOUT MAJOR RENOVATION. SOMETIMES THE BIGGEST DECISIONS COME DOWN TO --

CHAIRMAN GULDI:
HOW MANY CHAIRS YOU'VE GOT.

MR. LEWIS:
YES, HOW MANY CHAIRS YOU'VE GOT. AND ALSO, YOU KNOW, IT WAS JUST A QUESTION OF WHETHER OR NOT TWENTY-FIVE WOULD PERHAPS START TO GET INTO THE RANGE WHERE IT COULD BECOME UNWIELDY. NO ONE WOULD EVER ACCUSE THE LEGISLATURE OF BEING UNWIELDY. BUT -- SO THE TWENTY-FIVE NUMBER WAS TOSSED AROUND, OF COURSE, THERE IS ALSO, YOU KNOW, CERTAIN EXPENSES WITH THE LARGER NUMBER.

WHEN THERE WAS DISCUSSION OF SMALLER NUMBERS, SUCH AS FIFTEEN OR ELEVEN, THE NUMBER ELEVEN WAS TAKEN FROM THE FACT THAT THE ASSEMBLY ESSENTIALLY HAS ELEVEN DISTRICTS, OR AT THE TIME IN NASSAU COUNTY HAD APPROXIMATELY ELEVEN DISTRICTS, AND SO THOSE NUMBERS WERE CONSIDERED. BUT THE FEELING WAS THAT YOU CREATE A LARGER DISTRICT SIZE THAT REQUIRES MORE BY WAY OF CAMPAIGNING AND MORE EXPENSE FOR CAMPAIGNING AND IT RAISES QUESTIONS ABOUT, YOU KNOW, JUST HOW EXPENSIVE IT IS TO

RUN THE CAMPAIGN WHEN THE LEGISLATIVE DISTRICTS WERE MEANT TO BE, YOU KNOW, CLOSER TO THE VOTERS AND THE SEATS.

FRANKLY, NASSAU COUNTY HAS A SMALLER SALARY FOR THEIR PART-TIME LEGISLATORS AND THERE WAS A FEELING OF WHETHER OR NOT IT'S VALID TO HAVE THEM WORK THAT INTENSELY FOR A POSITION THAT IS MEANT TO BE A

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PART-TIME POSITION AND SUCH. SO, YOU KNOW, THE SMALLER NUMBERS WERE DEFINITELY CONSIDERED, BUT AS I SAY THE SMALLER ONES AND THE LARGER ONES WERE KIND OF KNOCKED OFF PRETTY QUICKLY AND IT CAME DOWN TO THE SEVENTEEN, NINETEEN, TWENTY-ONE, TWENTY-THREE KIND OF DISCUSSION.

AND THEN, YOU KNOW, AND THEN THE SIMPLE REALITY, I CAN'T IDENTIFY ANY, YOU KNOW, EVEN IF I HAD A PERFECT MEMORY, I CAN'T IDENTIFY ANY ABSOLUTE SCIENCE THAT COMES INTO THE EQUATION, IT'S REALLY TO SOME EXTENT YOU REACH A POINT WHERE YOU JUST HAVE TO PICK A NUMBER AND -- BUT I DO THINK THAT THE PROPOSAL THAT HAS BEEN SUGGESTED TO CREATE NINETEEN, I THINK IT'S WELL FOUNDED AND DOES MAKE A FAIR AMOUNT OF SENSE.

AND I MIGHT HAVE ONE OR TWO OTHER POINTS, IF THERE WAS ANY INTEREST IN THINGS THAT COULD BE ADDED TO THAT TO ADDRESS SOME OF THESE CONCERNS ABOUT THE PRESIDING OFFICER ELECTION AND HOW THAT MIGHT BE LOOKED AT SLIGHTLY DIFFERENTLY, BUT OTHERWISE ON THE NUMBER QUESTION, I'LL JUST STOP THERE.

CHAIRMAN GULDI:
LEGISLATOR CARACCILO OBVIOUSLY CAN'T RESIST THIS, SO HE'S FIRST.
ANYBODY ELSE WANT TO JUMP IN?

LEG. FISHER:
YES.

CHAIRMAN GULDI:
OKAY. GO AHEAD.

LEG. CARACCILO:
NEAL, IT'S NICE TO SEE YOU.

MR. LEWIS:
THANK YOU.

LEG. CARACCILO:
I'VE ENJOYED WORKING WITH YOU OVER THE YEARS ON A NUMBER OF ISSUES, USUALLY IN THE ENVIRONMENTAL ARENA, SO IT'S A LITTLE BIT DIFFERENT, BUT I AM FAMILIAR WITH YOUR WORK IN HELPING TO ORGANIZE AND FORM THE LEGISLATIVE BODY IN NASSAU COUNTY.

MR. LEWIS:

THANK YOU.

LEG. CARACCILO:

YOU MENTIONED THAT THE LEGISLATIVE SALARY IN NASSAU COUNTY IS LOWER, LESS THAN THAT OF THEIR COUNTERPARTS HERE IN SUFFOLK. WHAT IS THE CURRENT SALARY FOR A LEGISLATURE IN SUFFOLK?

MR. LEWIS:

IT'S THIRTY-NINE THOUSAND FIVE HUNDRED, I HOPE I'M CORRECT ON THAT, BUT THAT'S MY MEMORY. IT'S ACTUALLY IN THE CHARTER WITH A PROVISION THAT IT CAN ONLY BE INCREASED WITH A TWO VOTE OF THE LEGISLATURE BOTH BEFORE AND AFTER AN ELECTION, SO IT'S A LITTLE HARD TO CHANGE IT.

LEG. CARACCILO:

IN TERMS OF WHEN THE LEGISLATURE THERE WAS FORMED, I SEEM TO RECALL

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THAT THERE WERE NOT, AND I DON'T KNOW IF THEY HAVE, I GUESS THEY HAVE COME INTO A EXISTENCE NOW, DISTRICT-WIDE OFFICES FOR LEGISLATORS, INITIALLY THEY WERE PREDOMINANTLY HOUSED IN THE RALPH CASO EXECUTIVE LEGISLATIVE BUILDING ON WEST STREET, I GUESS THAT'S CHANGED NOW SO THAT -- THEY'RE NOT CHANGED?

MR. LEWIS:

THEY'RE STILL ALL THERE. I MEAN NASSAU DOES HAVE THE GEOGRAPHIC, YOU KNOW, ADVANTAGE OF BEING MORE COMPACT THAN SUFFOLK, SO I THINK SOMETIMES WHEN PEOPLE COMPARE IT, IT MIGHT BE UNFAIR, BUT CLEARLY, ALL THE LEGISLATORS HAVE AN OFFICE ON THE FIRST FLOOR. AND THEN LEGISLATOR DENENBERG OUT OF HIS OWN EXPENSES, I THINK CAMPAIGN EXPENSES AND OTHERWISE, MAINTAINS A DISTRICT OFFICE, BUT THEY DON'T HAVE THAT INCLUDED AS SOMETHING THAT'S PROVIDED FOR THEM.

LEG. CARACCILO:

WHAT IS THE CURRENT BUDGET ALLOCATION FOR THE LEGISLATURE IN NASSAU COUNTY?

MR. LEWIS:

THAT I DON'T KNOW. THERE IS A REQUIREMENT IN THE CHARTER IN TERMS OF ONE OF THE THINGS THAT WE WORKED ON THAT THEY VOTE ON THEIR BUDGET SEPARATE FROM THE OVERALL BUDGET, WHICH WAS A WAY TO SORT OF TRY AND CONSTRAIN THE COSTS OF THE LEGISLATURE. AND THERE WERE ESTIMATES THAT WERE ALL BELOW A MILLION DOLLARS AS TO WHAT THAT NUMBER WOULD BE, BUT I CAN'T HONESTLY SAY I'VE KEPT UP WITH WHAT THE LATEST NUMBER IS.

LEG. CARACCILO:

AND ARE YOU AWARE THAT THROUGHOUT THE STATE, THE STATE OF NEW YORK, THIS YEAR, THERE ARE AT LEAST THREE COUNTIES THAT ARE CONSIDERING PROPOSALS, ONE BY REFERENDUM, TO REDUCE THE SIZE OF THE COUNTY LEGISLATIVE BODIES, ARE YOU AWARE OF THAT?

MR. LEWIS:

NO. I'M FAMILIAR WITH WESTCHESTER HAVING FIFTEEN, BUT I HAVEN'T HEARD TOO MANY OTHER DEBATES ABOUT WHO WANTS TO CHANGE THEIR NUMBERS, NO.

LEG. CARACCILO:

OKAY. AND WOULD YOU BE IN FAVOR, THERE ARE THREE RESOLUTIONS BEFORE THE COMMITTEE, WOULD YOU BE IN FAVOR, I UNDERSTAND YOU SUPPORT THIS PARTICULAR RESOLUTION, BUT WOULD YOU BE IN FAVOR OR OPPOSED TO PERMITTING THE VOTERS OF SUFFOLK COUNTY THE OPPORTUNITY TO PASS JUDGMENT ON WHICH OF THESE PROPOSALS SHOULD BE APPROVED?

MR. LEWIS:

THAT'S A GOOD QUESTION. I DON'T KNOW WHAT MY ANSWER TO THAT IS YET. I THINK IT'S A LITTLE EARLY, I HAVEN'T SEEN THE OTHER TWO, I ONLY HEARD ABOUT ONE OTHER. BUT IF YOUR POINT IS THAT PEOPLE MAY DISAGREE, SO LET'S PUT IT TO THE VOTERS, I CAN UNDERSTAND THAT ARGUMENT AND THAT MIGHT MAKE SOME SENSE. LIKE I SAID, I HAVEN'T REALLY READ THE OTHER ONES YET.

I KNOW, YOU KNOW, AS A NUMBER THIS IS WHAT MAKES SENSE TO ME AND I AM CONCERNED ABOUT MAKING THE DISTRICTS TOO LARGE HAVING THAT, YOU KNOW, ELECTORAL CONCERN IN TERMS OF THE EFFORTS FOR FUND-RAISING AND SUCH, BUT, YOU KNOW, I COULD SEE WHERE YOU'RE GOING, THOUGH, IN TERMS OF THE

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IDEA OF LETTING THE VOTERS DECIDE ON SOMETHING LIKE THIS, BUT WE STILL HAVE SOME TIME, LET ME THINK THAT ONE THROUGH.

LEG. CARACCILO:

I MEAN IT'S JUST A FUNDAMENTAL, I BELIEVE, RIGHT, YOU KNOW, THE PEOPLE GOVERN AND WE ARE THE REPRESENTATIVES OF THE PEOPLE AND ULTIMATELY THEY SHOULD DECIDE WHAT SIZE, WHAT FORM AND WHAT COST THEIR GOVERNMENT SHOULD BE. THANK YOU.

MR. LEWIS:

THANK YOU.

CHAIRMAN GULDI:

LEGISLATOR FISHER.

LEG. FISHER:

HI, NEAL. THANKS FOR COMING DOWN.

MR. LEWIS:

THANK YOU.

LEG. FISHER:

YOU DO HAVE A GREAT DEAL OF EXPERTISE IN BOTH WORKING ON SETTING UP

LEGISLATIVE DISTRICTS WITH NASSAU COUNTY AND AS AN ADVOCATE FOR BOTH NASSAU AND SUFFOLK COUNTY. ONE OF THE KEY ELEMENTS IN SUFFOLK COUNTY IN WHICH WE PRIDE OURSELVES IS THE ACCESSIBILITY OF THE LEGISLATURE TO THE PEOPLE.

HAVE YOU FOUND THAT BECAUSE OF THE ALMOST GRASS ROOTS TYPE OF REPRESENTATION IN SUFFOLK COUNTY, THAT IT'S BEEN EASIER TO BE AN ADVOCATE BECAUSE OF THE NUMBERS THAT WE REPRESENT AND THE GEOGRAPHICAL AREA THAT WE REPRESENT?

MR. LEWIS:

YES, I HAVE. AND IN ANSWERING THAT QUESTION AND ALSO A THOUGHT THAT I MADE A NOTE OF DURING THE PREVIOUS COMMENTS, I JUST WANT TO POINT OUT THAT WHEN WE DESCRIBE OUR ORGANIZATION, WE OFTEN SAY ENVIRONMENTAL AND GOOD GOVERNMENT. AND WE'VE DONE A LOT OF WORK ON COUNCIL DISTRICTS GOING BACK TO 1987 IN THE TOWN OF OYSTER BAY WITH THE FIRST-TIMER PETITIONS SUCCESSFULLY WITH THE QUESTION OF COUNCIL DISTRICTS BEFORE THE VOTERS, AND THEN MUCH MORE RECENTLY THIS PAST YEAR IN THE TOWN OF BROOKHAVEN AFTER EIGHT YEARS OF EFFORT.

SO WE HAVE A LONG RECORD OF SUPPORTING THE IDEA OF DISTRICT REPRESENTATION AND THAT APPLIES BOTH TO THE NASSAU LEGISLATURE AND TO EACH OF THESE DIFFERENT TOWNS THAT WE'VE SUPPORTED.

NOW, YOU CAN MAKE THE CASE PRETTY STRONGLY THAT SINCE DISTRICTS HAVE BEEN CREATED IN BROOKHAVEN, WE HAVEN'T EVEN HAD A VOTE YET, BUT THERE'S ALREADY BEEN SOME SIGNIFICANT RESULTS, WE THINK IN A POSITIVE WAY, THERE'S BEEN THREE DIFFERENT WHAT THEY CALL PLANNING CHARRETTES THAT HAVE BEEN HELD WHERE THE TOWN COUNCIL PEOPLE GET OUT AND ACTUALLY PUT MONEY FOR THESE PLANNING CHARRETTES AND GET OUT AND MEET WITH THE COMMUNITY AND WORK ON ISSUES OF HOW TO ADDRESS ISSUES OF PUBLIC, YOU KNOW, WORK FORCE HOUSING IS THE MOST COMMON TERM NOW USED OR ISSUES OF DOWNTOWN REVITALIZATION.

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BUT GOING BACK TO YOUR QUESTION MORE SPECIFICALLY, I DO THINK SUFFOLK COUNTY HAS A TREMENDOUS RECORD IN TERMS OF THE LEGISLATORS BEING CLOSE TO THE VOTERS, BEING RESPONSIVE ON THE ISSUES. I THINK NASSAU HAS A LOT TO LEARN IN THAT AREA. I WISH I COULD MAKE THE CASE THAT THEY'VE BEEN AS GOOD, AND I DON'T THINK THAT THEY HAVE, AND I THINK THAT PART OF THAT I THINK IS JUST SORT OF A CULTURAL THING THAT THEY'VE DEFINED PART-TIME IN A VERY STRICT SENSE, THAT IS NOT PUTTING THAT MUCH TIME IN, FRANKLY, YOU KNOW, AND I'LL SAY IT TO THEM IF THEY WERE TO ASK ME.

BUT, YOU KNOW, SO SUFFOLK COUNTY -- NASSAU COUNTY HAS IMPROVED DRAMATICALLY SINCE THE BOARD OF SUPERVISORS, THEN THERE WAS REALLY NO DISCUSSION OF COUNTY ISSUES. BUT STILL AT THIS POINT, THE COUNTY COMMITTEE SYSTEM IN NASSAU IS TERRIBLE. THE MEETING WOULD HAVE BEEN OVER BY NOW FOR NASSAU COUNTY'S COMMITTEES, IT'S A TEN MINUTE THING

WHERE THEY READ THROUGH A BUNCH OF THINGS AND THEY'RE OUT OF THERE. AND THEY ALL START HOURS LATE AND IT'S JUST, YOU KNOW, SO THEY'VE GOT A LONG WAYS TO GO.

BUT ON THE BASIC QUESTION OF BEING MORE REPRESENTATIVE, BEING CLOSER TO THEIR VOTERS, THEY DO AT LEAST HAVE A MUCH BETTER RECORD OF RESPONDING TO PEOPLE WHO SAY I'M IN YOUR DISTRICT, THIS IS A CONCERN THAT I HAVE, AND IF THE COUNTY HAS SOME KIND OF ROLE IN THAT CONCERN, THEY'VE GOTTEN MUCH BETTER. BUT CLEARLY, SUFFOLK I STILL THINK IS FAR SUPERIOR IN THOSE REGARDS. IN MY EXPERIENCE, AS SOMEONE WHO WORKS ON ISSUES, IS THAT YOU CAN FIND A LEGISLATOR THAT'S WILLING TO TALK TO YOU ABOUT ENVIRONMENTAL ISSUES QUITE READILY AND, YOU KNOW, SO I GIVE YOU GUYS VERY HIGH MARKS FOR THAT.

LEG. BISHOP:

I JUST WANT TO UNDERSTAND, THEY HAVE A WORSE RECORD ON TARDINESS THAN WE DO?

MR. LEWIS:

YEAH, AMAZING.

CHAIRMAN GULDI:

THAT'S HARD FOR BOTH OF YOU TO BELIEVE.

MR. LEWIS:

AND I LIKE JUDY JACOBS VERY MUCH, SHE'S ACTUALLY A LONG TIME MEMBER OF OUR GROUP GOING BACK LIKE FIFTEEN YEARS NOW, SO I HATE TO CRITICIZE HER, BUT WE THOUGHT WITH THE CHANGED LEADERSHIP, MAYBE THE NEW LEADER, AND IT'S BEEN ACTUALLY WORSE.

CHAIRMAN GULDI:

HEREIN SUFFOLK WE'VE MANAGED TO DEFINE PART-TIME AS BEING FEWER THAN A 168 HOURS A WEEK.

LEG. FISHER:

NEAL, I HAVE A SECOND QUESTION THAT YOU LED TO ME, WHICH IS THE GOOD GOVERNMENT QUESTION, BECAUSE THE LEAGUE OF WOMEN VOTERS HAS RESPONDED TO ME WITH REGARDS TO THE DISTRICTS AT A TIME WHERE SO MANY PEOPLE FEEL DISENFRANCHISED AND WE'RE TRYING TO ENGAGE PEOPLE IN GOVERNMENT. I WOULD ASSUME THAT YOU WOULD SEE THE GREATER REPRESENTATION OF NINETEEN DISTRICTS BEING ONE THAT WOULD ENGAGE MORE VOTERS. AND WHILE CLEARLY WHAT YOU'VE SAID ABOUT BROOKHAVEN BEFORE THE DISTRICTS HAVE EVEN BEEN

SET UP, WE'RE SEEING CHARRETTES, WE'RE SEEING GREATER PARTICIPATION IN GOVERNMENT.

MR. LEWIS:

THAT'S RIGHT. AND THAT WOULD BE MY CONCERN ABOUT GOING TO THE SMALLER

NUMBER, THAT YOU DO -- YOU TEND TO LOSE SOME PEOPLE BECAUSE A DISTRICT BECOMES SO BIG THAT ANY CANDIDATE OR ANYBODY SITTING IN OFFICE AS A LEGISLATOR IS GOING TO HAVE TO, YOU KNOW, MAKE SOME JUDGMENT CALLS. THEY CERTAINLY CAN'T WALK THE WHOLE DISTRICT, CAN THEY PHYSICALLY GO TO MEETINGS EVERY SINGLE NIGHT OF THE WEEK AND BE ENGAGED IN THE ENTIRE DISTRICT, DO THEY HAVE TO MAKE SOME CALCULATIONS THAT THERE'S PARTS OF THE DISTRICTS, PARTS OF THE COMMUNITIES THEY REPRESENT, THAT THEY CAN'T BE AS INVOLVED IN AND, THAT THEY CAN'T BE AS RESPONSIVE TO. AND ANY EFFORT TO MAKE THE DISTRICTS LARGER I THINK BRINGS THAT INTO THE EQUATION.

ON THE CONVERSE, IN TERMS OF YOUR PROPOSAL, YOU MAKE THE DISTRICTS A LITTLE BIT SMALLER AS THIS WOULD HAVE THE RESULT OF DOING, I THINK YOU GIVE EVERYBODY, EACH COMMUNITY BETTER REPRESENTATION, BECAUSE YOU HAVE THAT, YOU KNOW, OBVIOUSLY YOU DON'T WANT A ONE LEGISLATOR FOR EVERY ONE VOTER, THERE'S A POINT IN WHICH IT GETS TOO MUCH, BUT I DON'T THINK WE'RE TALKING ABOUT THAT KIND OF DRAMATIC CHANGE HERE. BUT THIS IS IN THE RANGE WHERE THE DISTRICTS ARE MANAGEABLE AND THAT MAKING IT A LITTLE BIT BETTER I THINK WOULD BE A VERY POSITIVE THING IN TERMS OF IMPROVING THE EXTENT TO WHICH, YOU KNOW, PEOPLE WHO HAVE ISSUES CAN GET A RESPONSE FROM THEIR LOCAL LEGISLATOR AND I THINK THAT'S A VERY POSITIVE THING.

LEG. FISHER:
THANK YOU, NEAL.

MR. LEWIS:
THANK YOU.

CHAIRMAN GULDI:
LEGISLATOR FIELDS IS NEXT.

LEG. FIELDS:
ON THE COMMENT ABOUT ELEVEN DISTRICTS AND MAKING IT EQUAL TO THE STATE, I HAD A CONVERSATION WITH AN ASSEMBLYMAN WHO IS NO LONGER AN ASSEMBLYMAN FROM MY DISTRICT, PHIL BOYLE, AND ONE DAY HE HAD SAID TO ME, SO ARE YOU OFF FOR THE SUMMER, AND I SAID NO, AND HE SAID, OH, WELL, WE ARE, WE TAKE TWO FULL MONTHS OFF. AND I SAID, WELL, WHAT DO YOU DO ABOUT YOUR PHONE CALLS AND YOUR MAIL, HE SAID, IF I GET ONE PHONE CALL A WEEK, IT'S A LOT, AND IF I GET TWO OR THREE LETTERS, IT'S A LOT.

AND I COULD COMPARE THAT TO MY OFFICE, BECAUSE WITH TWO LINES, MY PHONES ARE BUSY VERY OFTEN AND THE FACT IS THAT I AM CONSTANTLY BUSY JUST ABOUT EVERY SINGLE NIGHT OF THE WEEK GOING TO DIFFERENT EVENTS OR MEETINGS OR CIVICS OR, YOU KNOW, PROBLEMS IN THE AREA, SCHOOL, WHATEVER IT IS. AND SO I THINK ELEVEN IS, FOR THE KIND OF ATTENTION WE AS LEGISLATORS GIVE TO OUR CONSTITUENTS, ELEVEN WOULD MAKE IT UNMANAGEABLE. YOU WOULD NOT -- YOU WOULD HAVE TO IGNORE CERTAIN SEGMENTS OF THE PUBLIC. AND I THINK THEN YOU'RE NOT A GOOD ELECTED

OFFICIAL IF YOU HAVE TO IGNORE YOUR CONSTITUENTS. SO I THINK ELEVEN IS

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NOT THE NUMBER THAT WE NEED, YOU KNOW, TO BE ABLE TO PROVIDE GOOD GOVERNMENT TO OUR CONSTITUENTS.

MR. LEWIS:

I WANT TO DEFINITELY AGREE WITH THAT. THE STATE HAS A LIMITED LEGISLATIVE SESSION, ALTHOUGH THERE'S ALWAYS TALK ABOUT WHETHER OR NOT THEY'LL COME BACK BECAUSE THEY NEVER SEEM TO FINISH THEIR WORK, BUT NONETHELESS, YOU KNOW, THEY TAKE PART, THEY'RE PART-TIME FOR PART OF THE YEAR, SO, YOU KNOW, THAT IS DISTINCTLY DIFFERENT AND IT DOES RAISE QUESTIONS ABOUT USING THAT AS A COMPARISON.

AND CERTAINLY, LOCAL GOVERNMENT IS WHERE YOU'RE BRINGING IT CLOSER TO PEOPLE, IT'S ALL THE MORE REASON WHY IT NEEDS TO BE CLOSER IN THE SENSE THAT THE DISTRICTS AREN'T THAT UNWIELDY. SO I FEEL VERY STRONGLY IN AGREEMENT WITH YOU ON THOSE POINTS AND THAT USING THE STATE AS A BASIS FOR COMPARISON DOESN'T REALLY TRANSLATE VERY WELL. I MEAN THERE'S TWO LEVELS OF REPRESENTATION AT THE STATE ALSO, SO THAT PEOPLE DON'T JUST GET AN ASSEMBLYPERSON, THEY'RE ALSO GETTING A SENATOR, AND TO JUST LOOK AT ONE AND EXCLUDE THE OTHER FROM THE EQUATION REALLY SHOULD SORT OF DOUBLE IT AND THEN SPLIT IT IN HALF AND THEN ALL OF A SUDDEN YOU REALIZE THAT ELEVEN COULD COME CLOSER TO NINETEEN.

SO, YOU KNOW, THERE'S A NUMBER OF THINGS GOING ON THERE IN MAKING THAT COMPARISON AND I DEFINITELY AGREE IT'S NOT A GOOD COMPARISON FOR THAT PURPOSE.

LEG. FIELDS:
THANK YOU.

CHAIRMAN GULDI:
YOU NEED SOME REBUTTAL TIME?

LEG. CARACCILO:
WELL, REALLY, THIS IS NOT A DEBATE AMONG US, SO I DON'T WANT TO TURN IT INTO THAT, BUT JUST AN OBSERVATION.

MR. LEWIS:
BUT.

LEG. CARACCILO:
JUST AN OBSERVATION, AND MAYBE YOU WOULD CARE TO COMMENT ON THIS, NEAL. I THINK IF ONE IS TO USE THE ANALOGY MY COLLEAGUE JUST CITED, IT'S FLAWED IN A NUMBER OF WAYS. FIRST AND FOREMOST, THE ELEVEN MEMBERS OF THE NASSAU AND THE ELEVEN MEMBERS OF THE SUFFOLK ASSEMBLY DELEGATIONS OVERWHELMINGLY, OVERWHELMINGLY BY FAR GREATER PARAMETERS THAN COUNTY LEGISLATORS AS A GROUP GET RE-ELECTED TO OFFICE BY THEIR CONSTITUENTS,

SO SIZE HAS NOTHING TO DO WITH SERVICE OR APPROVAL BY THE VOTERS OF THE INDIVIDUALS WHO REPRESENT THEM. AND THOSE ARE THE FACTS. I MEAN THEY WIN, MUCH AS MEMBERS OF CONGRESS WIN RE-ELECTION TO OFFICE BY FAR GREATER MAJORITIES THAN COUNTY LEGISLATORS AND JUST ABOUT ANYWHERE. SO THAT ANALOGY JUST DOESN'T HAVE ANY SUBSTANCE TO IT.

AS FAR AS A MINORITY MEMBER OF THE STATE ASSEMBLY AND WHAT HE DID, I DON'T THINK THAT'S REPRESENTATIVE OF ASSEMBLY MEMBERS IN GENERAL, BECAUSE IN MY DISTRICT, ASSEMBLYWOMAN PATRICIA ACAMPORA IS OUT CONSTANTLY IN THE COMMUNITY IN A DISTRICT GEOGRAPHICALLY THAT'S LARGER

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THAN SIXTEEN COUNTY LEGISLATIVE DISTRICTS. SO, AGAIN, SIZE HAS NOTHING TO DO WITH IT.

AND, YOU KNOW, JUST TO GO BACK TO NASSAU COUNTY AND YOUR INVOLVEMENT THERE, I THINK IT WOULD BE HELPFUL TO GO BACK AND TAKE A LOOK AT WHAT'S TAKING PLACE THERE, BECAUSE I THINK I HEARD YOU SAY EARLIER, PUBLIC PARTICIPATION IS -- DOES NOT HINGE ON A NEW FORM OF COUNTY LEGISLATIVE BRANCH OF GOVERNMENT, IF THEIR COMMITTEE MEETINGS ARE LASTING TEN MINUTES, I THINK THAT THAT, THAT TELLS US A LOT ABOUT WHAT NOT TO EMULATE FROM OUR NEIGHBORS TO THE WEST AND I WOULD SUGGEST WE SHOULDN'T BE GOING UP IN LEGISLATIVE DISTRICT NUMBERS AS THEY DID, WE SHOULD BE GOING DOWN. THANK YOU.

MR. LEWIS:

IF I CAN JUST SAY, THOUGH, I THINK THAT THE CONCLUSION ABOUT THE CONSISTENT RE-ELECTION OF PEOPLE ON BOTH THE ASSEMBLY AND SENATE LEVEL, (A) RACES A QUESTION ABOUT THE COST OF THOSE ELECTIONS AND THE EFFECT THAT BIG MONEY CAN HAVE IN CAMPAIGNS, AND I THINK THAT THAT'S EXACTLY THE OPPOSITE OF WHAT WE WANT TO HEAD TOWARDS. WE DON'T WANT A SITUATION WHERE PEOPLE FEEL COMFORTABLE THAT THEY'RE GOING TO GET RE-ELECTED BECAUSE THEY HAVE A REAL MACHINE WORKING FOR THEM TO MAKE SURE THEY HAVE SUFFICIENT MONEY TO GET RE-ELECTED.

GERRYMANDERING IS A BIG PART OF THAT TOO. IF YOU LOOK AT THE WAY THOSE DISTRICTS ARE DRAWN, THEY'VE REALLY TAKEN IT TO AN ART FORM, THAT'S WHY THEY HAVE A FULL-TIME OFFICE THAT WORKS ON GERRYMANDERING EVERY YEAR EVEN THOUGH THEY ONLY HAVE TO PRODUCE A RESULT ONCE EVERY TEN YEARS. IT'S KINDS OF AMAZING.

AND IN TERMS OF GOOD GOVERNMENT, I JUST THINK THAT YOU REALLY HAVE TO RAISE THE QUESTION OF WHETHER REDUCING DISTRICT NUMBERS IN ORDER TO SAVE PERHAPS A COUPLE OF HUNDRED THOUSAND DOLLARS WHERE YOU COULD LOSE THAT KIND OF MONEY ON ONE BAD DECISION THAT YOU DIDN'T HAVE ENOUGH EYES IN THE LEGISLATURE TO CATCH, I REALLY THINK GOOD GOVERNMENT PAYS FOR ITSELF EVERY DAY AND THAT IT'S MUCH EASIER TO SUGGEST TO THE PUBLIC THAT, OH, WE'RE GOING TO SAVE MONEY BECAUSE WE JUST CUT A COUPLE OF SEATS AND, THEREFORE, WE SAVED SOME MONEY.

BUT, YOU KNOW, HOW MANY SCANDALS GO UNNOTICED, HOW MUCH BAD DECISIONS GO UNCHALLENGED AS A RESULT OF THE FACT THAT THERE'S LESS PEOPLE HERE WORKING HARD KEEPING AN EYE ON THESE THINGS? THAT YOU HAVE A ROBUST COMMITTEE SYSTEM. HOW CAN YOU HAVE A ROBUST COMMITTEE SYSTEM IF THERE'S TOO FEW LEGISLATORS TO REALLY MAKE UP ENOUGH LEGISLATORS FOR EACH OF THE IMPORTANT COMMITTEES.

SO, I MEAN I THINK THAT THERE'S A SENSE IN WHICH GOOD GOVERNMENT DOES PAY FOR ITSELF AND, YOU KNOW, I THINK YOUR HISTORY HERE OF CATCHING A NUMBER OF BAD THINGS, AND FRANKLY, NASSAU'S HISTORY SINCE WE'VE HAD THE LEGISLATURE, YOU KNOW, I WAS AT ONE OF THE KEY MEETINGS WHERE A PERSON SORT OF RAISED THEIR HAND, LIZ ANN ALTMAN, AND SAID, WAIT A MINUTE, ARE YOU TELLING ME THAT THE MONEY WE WERE SUPPOSED TO BE SAVING ON OUR INSURANCE FOR OUR EMPLOYEES HAS ACTUALLY GONE THE OTHER WAY. AND IT WAS RIGHT AT THE END OF A MEETING WHERE IT WAS, RIGHT NOW THERE'S A CRIMINAL CASE GOING ON AS A RESULT OF THAT.

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NOW, IF YOU -- IF WE HAD ONLY HAD FIFTEEN DISTRICTS, MAYBE SHE WOULDN'T HAVE BEEN AT THAT MEETING AND MAYBE SHE WOULDN'T HAVE CAUGHT THAT. AND THAT WAS THAT WAS MILLIONS OF DOLLARS. SO, YOU KNOW, IT'S PENNY WISE, DOLLAR FOOLISH I THINK TO TRY AND REDUCE THE NUMBERS OF DISTRICTS TO A POINT WHERE THE LEGISLATURE IS LESS EFFECTIVE. GOOD GOVERNMENT PAYS FOR ITSELF.

CHAIRMAN GULDI:

THANK YOU. BEFORE WE CALL THE NEXT SPEAKER, I NEED TO STEP OUT FOR FORTY-FIVE MINUTES TO GO TO THE DENTIST. THE RUMOR THAT I'M GETTING MY TEETH SHARPENED IS NOT TRUE, IT'S A ROOT CANAL. BUT I WANTED TO REPORT ON THE STATUS OF OUR --

LEG. BISHOP:

IT COULDN'T HAVE HAPPENED TO A BETTER MAN.

CHAIRMAN GULDI:

ACTUALLY, I'M SURE IT WILL BE MORE FUN THAN BEING HERE. I DID WANT TO REPORT ON THE STATUS OF THE EMHP MATTER BEFORE I DEPARTED. I HAVE BEEN IN CONTACT WITH COUNSEL TO THE SEGAL GROUP. THEY WILL BE COMING IN, THEY WILL BE BRINGING THE TWO WITNESSES WE SUBPOENAED AND AT LEAST ONE ADDITIONAL WITNESS. I'M SCHEDULING A MEETING LATER THIS WEEK TO -- WITH COUNSEL TO TALK ABOUT THE PARAMETERS, PROCEDURES AND HOW WE'RE GOING TO PROCEED, BUT THEY ARE NOT GOING TO BE ABLE TO BE HERE ON THE 11TH, BECAUSE OF A SCHEDULING CONFLICT WITH ONE OF THOSE WITNESSES.

SO ONE OF THE THINGS I'LL BE EXPLORING IS WHAT THE NEXT DATE FOR THAT SPECIAL MEETING WILL BE. THEY WILL BE AVAILABLE BEFORE US I THINK BECAUSE WE HAVE THE NEXT LEGISLATIVE CYCLE CONFLICTING WITH THE DATES THEY HAVE AVAILABLE. BUT GIVEN THAT, I PUT OUT A LETTER TO FORMER

DIRECTOR OF THE DIVISION OF THE LABOR, DAVE GREENE, WHO RAISED HIS HAND, IF YOU WILL, IN THE NEWSDAY ARTICLE, AND HE HAS CALLED MY OFFICE AND SAID HE'S ANXIOUS TO COME IN AND TESTIFY AND ENLIGHTEN US ALL AND THAT HE WILL BE HERE ON THE 11TH TO EXPLAIN EVERYTHING ABOUT INSURANCE AND ENLIGHTEN THE LEGISLATURE IN EVERY REGARD. I'M SURE HE'LL BE ABLE TO LET US KNOW WHAT THE ERROR OF OUR WAYS HAS BEEN.

LEG. CARACCILO:
WHERE IS HE NOW?

CHAIRMAN GULDI:
I UNDERSTAND THAT HE'S RUNNING A CHARM SCHOOL IN NASSAU COUNTY AT THE PRESENT TIME.

LEG. BISHOP:
ENLIGHTENING US ON EVERY REGARD SHOULD TAKE MORE THAN AN HOUR.

CHAIRMAN GULDI:
WELL, YEAH. I DON'T EXPECT THAT MEETING TO BE A BRIEF MEETING AS A RESULT. BUT I WANTED THAT TO GO ON THE RECORD BEFORE WE WENT -- WE HAVE ONE MORE CARD AND LEGISLATOR CRECCA IS GOING TO NEED TO RUN THE MEETING. AND WE ALSO HAVE SCHEDULED A PRESENTATION BY THE DEPARTMENT OF PUBLIC WORKS ON THE LEASE DATABASE, THERE IS A HANDOUT FOR THAT AS WELL.

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SO I'LL SEE YOU, UNLESS YOU FINISH THE NEXT SPEAKER AND THE PRESENTATION AND THE AGENDA IN FORTY-FIVE MINUTES, I'LL SEE YOU BEFORE YOU'RE DONE.

LEG. CRECCA:
WE SHOULD HAVE THE MEETING DONE IN ABOUT TWENTY MINUTES, GEORGE. THE NEXT SPEAKER IS ANDREA VECCHIO. I'VE NEVER SEEN DAVE SO ELATED AT THE PROSPECT THAT GEORGE IS GETTING ROOT CANAL. MS. VECCHIO.

MS. VECCHIO:
YES.

LEG. CRECCA:
HI, HOW ARE YOU?

MS. VECCHIO:
I HAVE TO SPEAK INTO THIS?

LEG. CRECCA:
YES, YOU DO, YOU HAVE TO SPEAK INTO THE MIKE, THAT'S HOW IT GETS RECORDED. YOU'LL BE PART OF OUR PERMANENT RECORD.

MS. VECCHIO:

OKAY. MY NAME IS ANDREA VECCHIO. I'M HERE TO SPEAK FOR MYSELF AND OTHER TAXPAYER ADVOCATES AS WELL AS FOR SUFFOLK COUNTY TAX PACK TO SPEAK IN FAVOR OF THE RESOLUTION REDUCING THE NUMBER OF COUNTY LEGISLATIVE DISTRICTS TO ELEVEN.

THE PREVIOUS SPEAKER MENTIONED THAT IT WOULD ONLY SAVE -- WELL, WHY I'D BE IN FAVOR OF IT IS BECAUSE IT WOULD SAVE MONEY AND ALSO BECAUSE FACING THE BAD ECONOMY THAT WE ARE, THIS WOULD BE A WONDERFUL TIME TO SHOW THAT GOVERNMENT CAN ALSO SHRINK AS WELL AS EXPAND, WHICH NEVER, EVER HAPPENS. IT WOULD BE WONDERFUL IF IT COULD HAPPEN IN SUFFOLK COUNTY, IT WOULD BE A FIRST FOR THIS COUNTY GOVERNMENT, CERTAINLY.

BUT AS FAR AS THE COST, I HAVE BEEN TOLD THAT IT COSTS FROM FOUR HUNDRED AND FIFTY THOUSAND TO SEVEN HUNDRED AND FIFTY-TWO THOUSAND DOLLARS FOR EACH LEGISLATIVE DISTRICT TO RUN. THAT'S INCLUDING LEGISLATIVE AIDES AND RENTAL OF FACILITIES AND EVERYTHING. SO, A COUPLE OF HUNDRED THOUSAND DOLLARS IS MORE LIKE QUITE A FEW MILLION JUST TO HAVE FEWER OFFICES OPEN.

THE OTHER THING THAT WOULD BE A GREAT ADVANTAGE IS THAT THE ASSEMBLY DISTRICTS, IF IT LINES UP WITH THE SAME BOUNDARIES AS THE ASSEMBLY, THE STATE ASSEMBLY DISTRICTS, I BELIEVE THEY ALREADY HAVE A MINORITY DISTRICT AND I THINK THAT WOULD KIND OF KILL THE ARGUMENT THAT WE NEED A MINORITY DISTRICT. WE COULD HAVE A MINORITY DISTRICT AND WE COULD HAVE A SMALLER, LESS EXPENSIVE GOVERNMENT AT THE SAME TIME.

WE WORK OUT WITH THE GENERAL PUBLIC AND MOST PEOPLE DON'T EVEN KNOW WHO THEIR REPRESENTATIVES ARE. THIS MIGHT HELP A LITTLE BIT, THAT THEY LINE UP TOGETHER, THE FACT THAT COUNTY GOVERNMENT IS VERY MUCH A CHILD OF THE STATE, AS YOU ALL WELL KNOW. I JUST THINK IT WOULD BE A GOOD THING.

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I THINK THAT THE -- ONE OF THE OTHER SPEAKERS, ACTUALLY ONE OF THE OTHER LEGISLATORS, SPOKE ABOUT BEING OUT EVERY NIGHT OF THE WEEK AND BEING SO BUSY AND EVERYTHING ELSE. WELL, YOU KNOW, A LOT OF PEOPLE LOOK AT THAT AND SEE IT MORE AS POLITICKING. A LOT OF THE PLACES YOU GO ARE ORGANIZATIONS THAT -- A PART OF YOUR MEMBER ITEM LIST AND IN SOME SENSE I THINK YOU'RE PREACHING TO THE CHOIR.

BUT LET ME TELL YOU THERE'S A VAST MAJORITY OUT THERE THAT IS SO TURNED OFF BY POLITICS AND SO CYNICAL, ESPECIALLY WITH THESE SCANDALS THAT HAVE COME OUT WITH THE LAND DEALS AND THE HEALTH PLAN IN SUFFOLK COUNTY, THAT SOMETHING LIKE THIS MIGHT BE JUST THE WONDERFUL THING TO SHAKE THINGS UP.

I DO BELIEVE THAT COUNTY GOVERNMENT GENERALLY IS RUN VERY WELL. THERE'S A LOT OF WONDERFUL THINGS THAT ARE DONE AT THE COUNTY LEVEL, BUT THERE'S A LOT OF THINGS THAT NEED TO BE FIXED TOO. AND IF WE COULD

JUST BRING DOWN THE COSTS, SHARE THE PAIN A LITTLE BIT WITH THE AVERAGE PERSON, PEOPLE ARE GOING TO BE HIT WITH ENORMOUS INCREASES, SCHOOL TAXES, COUNTY TAXES, YOU KNOW, ANY BROAD-BASED TAX, YOU NAME IT, IS GOING TO GO UP.

THIS WOULD BE A WONDERFUL TIME FOR THE COUNTY TO TAKE THE BULL BY THE HORNS AND DO SOMETHING GOOD FOR THE PEOPLE. AND I DO BELIEVE THE PEOPLE WILL STILL FEEL THAT THEY'RE REPRESENTED, I DON'T THINK THAT THAT'S A PROBLEM. THANK YOU.

LEG. CRECCA:
LEGISLATOR FIELDS.

LEG. FIELDS:
OBVIOUSLY I HAVE TO RESPOND TO THAT. ONE OF THE THINGS -- AND I WILL TAKE PERSONAL PRIVILEGE TO BE ABLE TO RESPOND TO THAT. ONE OF THE COMMENTS YOU MADE IS THAT SOME WOULD LOOK AT THAT AS POLITICKING, AND I BELIEVE THAT ALL OF THE MEETINGS THAT I GO TO I HAVE BEEN INVITED TO GO TO, BECAUSE OF THE FACT THAT I AM NOT A RUBBER STAMP AND THAT I DO CREATE REFORM AND OVERSIGHT OF MANY OF THE THINGS THAT HAVE HAPPENED IN THIS COUNTY.

AND I DO BELIEVE THAT THERE ARE MANY OF US THAT DO PERFORM THAT SAME TASK, AND THAT IS NOT TO BE A RUBBER STAMP AND TO BE ABLE TO OVERSEE GOVERNMENT AND TO CREATE GOOD GOVERNMENT, BECAUSE WHAT WE'VE HAD ARE EXAMPLES OF VERY POOR GOVERNMENT AND VERY BAD GOVERNMENT AND SCANDALOUS GOVERNMENT.

SO, I THINK THAT BY LESSENING THAT ABILITY TO OVERSEE WHAT'S GOING ON IN YOUR COMMUNITY, AND YOU ARE THE ONLY ONE WHEN YOU REPRESENT A COMMUNITY TO KNOW WHAT'S GOING ON IN YOUR COMMUNITY, I COULD NOT ASK ANY OTHER LEGISLATOR HERE TO TELL ME WHAT'S GOING ON IN MY COMMUNITY, BECAUSE THEY DON'T LIVE THERE, THEY'RE NOT OUT ALL THE TIME AND THEY'RE NOT SEEING AND FEELING AND TOUCHING THE PUBLIC. SO, I TOTALLY DISAGREE WITH THAT STATEMENT.

AND AS FAR AS LOOKING AT SCHOOL TAXES, WE HAVE NO JURISDICTION ON SCHOOL TAXES, THAT HAS NOTHING TO DO WITH US. AND THOSE ARE THE HIGHEST TAXES. SO, YOU KNOW, I THINK I TAKE UMBRAGE OF THAT COMMENT OF POLITICS.

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MS. VECCHIO:
IT WASN'T MEANT PERSONALLY, AND I KNOW THAT YOU ARE A VERY HARD WORKING LEGISLATOR, I KNOW THAT YOU'RE OUT ALL THE TIME AND MEETING WITH PEOPLE, I'M JUST GENERALIZING THAT THIS IS THE PERCEPTION OUT THERE, THIS IS WHAT PEOPLE THINK. THEY'RE REALLY TURNED OFF AND VERY CYNICAL, AND RIGHTLY SO, BECAUSE OF ALL THE THINGS --

LEG. FIELDS:

BUT THAT'S GENERALIZING TOO, THERE ARE PEOPLE THAT I SEE ALL THE TIME THAT ARE SAYING, THANK GOD FOR PEOPLE LIKE YOU, BECAUSE NOW YOU'RE GETTING US BACK INVOLVED AND WE WANT TO BE PART OF THE SYSTEM.

MS. VECCHIO:

WELL, WHEN YOU DO GET INVOLVED WITH SCHOOL TAXES, THEN MAYBE COME AND TALK TO ME, BECAUSE IT SEEMS TO ME THAT THE COUNTY LEGISLATURE HAS BEEN INVOLVED IN EPHEDRA BANS, I MEAN WHAT ABOUT THE FDA, AND ALL KINDS OF THINGS THAT THEY REALLY AREN'T DIRECTLY NECESSARILY RESPONSIBLE FOR.

HOW ABOUT GETTING INVOLVED IN SCHOOL TAXES? HOW ABOUT GETTING INVOLVED IN HELPING US TO GET CONTROL OVER THINGS? BUT, WE NEVER, EVER SEE ANY COOPERATION. PEOPLE RUN THE OTHER WAY WHEN WE TALK ABOUT THAT, BECAUSE THAT'S A SACRED COW. AND ONE OF THESE DAYS, VERY SHORTLY, IT'S NOT GOING TO BE ABLE TO BE A SACRED COW ANYMORE.

LEG. FIELDS:

JUST IN REGARD TO THAT. IF YOU HAVE ELEVEN STATE ASSEMBLYMEN, THEY ARE THE ONES THAT ARE INVOLVED WITH SCHOOL TAXES, SO OBVIOUSLY LESS COVERAGE OF ELEVEN AREN'T DOING A THING ON STATE TAXES.

MS. VECCHIO:

I'M FAMILIAR WITH HOW THE STATE GOVERNMENT WORKS AND YOU AND I KNOW THAT THE REPUBLICANS IN THE STATE ASSEMBLY DON'T HAVE ANYTHING TO SAY ABOUT WHAT GOES ON, YOU KNOW THAT IT'S SHELDON SILVER AND YOU KNOW THAT IT'S JOE BRUNO AND THE REPUBLICANS IN THE SENATE. AND YOU KNOW THAT THE STATE GOVERNMENT PROBABLY NEEDS REFORM A THOUSAND TIMES MORE THAN THE COUNTY DOES, BUT WE HAVEN'T BEEN ABLE -- WE HAVEN'T BEEN ABLE TO BE EFFECTIVE THERE, UNFORTUNATELY.

LEG. CRECCA:

LEGISLATOR FISHER.

LEG. FISHER:

AND THAT'S PROBABLY BECAUSE OF THE POWER OF INCUMBENCY.

MS. VECCHIO:

YES.

LEG. FISHER:

BECAUSE THE DISTRICTS ARE LARGE, IT REQUIRES A GREAT DEAL OF MONEY TO RUN THE RE-ELECTIONS. THE INCUMBENTS ARE NAMES, THEY'RE NOT -- THE DISTRICTS ARE SO LARGE THAT IT'S VERY DIFFICULT TO UNSEAT A SITTING INCUMBENT. SO THAT'S THE ARGUMENT FOR KEEPING MORE DISTRICTS, FOR HAVING SMALLER DISTRICTS, SO THAT THERE'S MORE ENGAGEMENT BETWEEN THE PUBLIC OFFICIAL AND THE PUBLIC.

IN MY DISTRICT I HAVE SEVEN CIVICS, I TRY TO ATTEND ALL THE CIVIC MEETINGS, AND AGAIN NOT FOR POLITICKING, BUT BECAUSE THAT'S WHERE YOU KEEP YOUR FINGER ON THE PULSE OF YOUR COMMUNITY. IF THERE WERE TO BE MUCH LARGER DISTRICTS, I WOULD PROBABLY HAVE FOURTEEN CIVICS, I WOULDN'T BE ABLE TO GET TO ALL OF THOSE CIVICS. NOW, YOU WORKED IN A LEGISLATIVE OFFICE, DIDN'T YOU?

MS. VECCHIO:
YES.

LEG. FISHER:
SO YOU KNOW THE KIND OF TRAFFIC IN THE OFFICE, THE KIND OF OUTREACH THAT HAS TO BE DONE BY A LEGISLATOR, THE TYPE OF WORK INVOLVED. AND WOULDN'T YOU THINK YOUR JOB WOULD HAVE BEEN MUCH MORE DIFFICULT HAD YOU HAD TO COVER TWICE, ALMOST TWICE THE AREA AND TWICE THE POPULATION?

MS. VECCHIO:
WELL, THERE MIGHT BE NEED FOR ANOTHER LEGISLATIVE AIDE, POSSIBLY, BUT NO, I DON'T THINK --

LEG. FISHER:
SO THEN WE WOULD BE INCREASING STAFF.

MS. VECCHIO:
YOU WOULD ONLY INCREASE ONE PERSON'S SALARY, YOU WOULDN'T BE INCREASING THE SIZE OF THE OFFICE.

LEG. FISHER:
BUT THERE ARE MANY AIDES WHO MAKE MORE THAN LEGISLATORS.

MS. VECCHIO:
NO, NO, NO. AT SEVENTY-ONE THOUSAND DOLLARS A YEAR --

LEG. FISHER:
I HAVE THE LIST OF AIDES' SALARIES AND THERE ARE MANY AIDES WHO MAKE MORE THAN LEGISLATORS.

LEG. FIELDS:
THERE ARE.

MS. VECCHIO:
BUT THERE'S POLITICAL REASONS FOR THAT, I BELIEVE, YES.

LEG. FISHER:
OKAY. IT'S PUBLIC RECORD, SO YOU CAN LOOK IT UP, THERE ARE MANY AIDES THAT MAKE MORE THAN LEGISLATORS. THE POINT IS HERE YOU TALKED ABOUT GOOD GOVERNMENT. YOU SAID THAT SUFFOLK IS RUNNING VERY WELL. WELL, PERHAPS IT'S RUNNING VERY WELL BECAUSE WE HAVE EIGHTEEN LEGISLATORS AND NOT ELEVEN. AND WE NEED TO MAKE IT RUN BETTER, NOT BY MAKING IT HAVE LESS REPRESENTATION, BUT GREATER REPRESENTATION OF THE PEOPLE. AN ODD

NUMBER WOULD BE IN THE FORM OF BETTER GOVERNMENT AS WELL. AND I BELIEVE THAT WE ARE DOING A GOOD JOB HERE.

MS. VECCHIO:
OKAY.

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LEG. FISHER:
AND I'M LOOKING FOR WAYS TO MAKE IT BETTER.

MS. VECCHIO:
DO YOU WANT ME TO JUST SAY IT THE WAY I THINK IT IS, I THINK THAT THE DEMOCRATS WANT ANOTHER DISTRICT BECAUSE THEY WANT ANOTHER SEAT, I THINK IT'S AS SIMPLE AS THAT. MAYBE I'M WRONG.

LEG. FIELDS:
YOU'RE WRONG.

LEG. FISHER:
YOU'RE WRONG.

MS. VECCHIO:
THAT'S WHAT PEOPLE THINK, YES.

LEG. CRECCA:
ALL RIGHT. NOT TO CUT ANYBODY OFF, BUT I WANT TO GET THIS THING ROLLING. LEGISLATOR CARACCIOLO DID HAVE A QUESTION AND THEN MAYBE WE CAN GET TO THE PUBLIC PORTION.

LEG. CARACCIOLO:
THE QUESTION I WOULD LIKE TO POSE IS SIMILAR TO THE ONE I POSED TO NEAL, AND THAT WAS THE SAME QUESTION, SHOULD THE VOTERS HAVE A CHOICE IN DETERMINING THE SIZE, THE FORM AND THE COST OF THEIR GOVERNMENT, IN THIS CASE, COUNTY GOVERNMENT, SHOULD THEY BE GIVEN A CHOICE OF DECIDING WHETHER THEY WANT MORE LEGISLATIVE REPRESENTATION OR LESS REPRESENTATION?

MS. VECCHIO:
THIS IS A QUESTION THAT THE VOTERS ABSOLUTELY SHOULD HAVE A CHOICE IN, NO QUESTION ABOUT IT. I MEAN IN OTHER FORMS, IN SCHOOL DISTRICT LEVEL, WHATEVER, THE LAW OVER AND OVER AGAIN SAYS THAT THOSE -- THAT IS WITHIN THE POWER OF THE VOTERS, DEFINITELY.

LEG. CARACCIOLO:
I'M NOT GOING TO DIGRESS AND GET INTO THE ISSUES OF STATE SCHOOL AID FORMULAS OR AID TO EDUCATION, BECAUSE IF WE DID, IT'S A DOUBLE --

MS. VECCHIO:
IT'S SOMETHING --

LEG. CARACCILO:

IT CUTS BOTH WAYS, WHEN THE STATE PROSPERED AND WHEN THE COUNTY PROSPERED, WE HAD SURPLUSES AND THEY WERE ABLE TO DOLE OUT MORE SCHOOL AID. THE REALITY IS THAT'S NO LONGER THE CASE. THERE ARE RETRACTIONS IN THE ECONOMY, JUST AS THERE ARE EXPANSIONS, AND GOOD GOVERNMENT PREPARES FOR THOSE OCCASIONS WHEN WE KNOW INEVITABLY THERE ARE GOING TO BE RECESSIONS AND HAS A RAINY DAY FUND ESTABLISHED FOR IT INSTEAD OF USING THE POLITICAL GIMMICKRY OF THE STATE GOVERNMENT OR OTHER COUNTY GOVERNMENTS AROUND THE STATE AND ATTACH TOBACCO SECURITIZATION FUNDS AND OTHER ONE SHOTS THAT ARE NOT GOOD GOVERNMENT PRACTICES. THANK YOU.

MS. VECCHIO:

THANKS.

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LEG. CRECCA:

THANK YOU, LEGISLATOR CARACCILO. THANK YOU, MS. VECCHIO.

MS. VECCHIO:

THANK YOU.

LEG. CRECCA:

I HAVE NO OTHER CARDS. IS THERE ANYONE WHO FILLED OUT A CARD WHOSE NAME WAS NOT CALLED? SEEING NONE. WE HAVE A PRESENTATION SCHEDULED BY DPW ON THE LEASED DATABASE. IS THERE SOMEBODY HERE FROM DPW FOR THAT PURPOSE? COME ON DOWN. AND I APOLOGIZE, IF YOU COULD STATE YOUR NAME.

MR. PHALEN:

KENNETH PHALEN. I'M AN ARCHITECT WITH DPW'S DESIGN CONSTRUCTION DIVISION.

LEG. CRECCA:

MR. PHALEN, IF YOU PLEASE, DO YOU HAVE A HANDOUT? WE'LL HAVE ONE OF THE AIDES HAND IT OUT. THANK YOU.

(LEGISLATOR HALEY ENTERED THE MEETING AT 10:35 A.M.)

LEG. CRECCA:

MR. PHALEN, MAYBE YOU CAN GIVE US A BRIEF OVERVIEW OF WHAT YOU'VE PRESENTED TO US AND THEN CERTAINLY I WOULD, DEPENDING ON HOW IT GOES, LEGISLATOR CARACCILO HAS SUGGESTED THAT MAYBE WE HAVE AN OPPORTUNITY TO REVIEW WHAT YOU'VE DONE AND WE MIGHT ASK YOU TO COME BACK AT THE NEXT MEETING.

MR. PHALEN:

OKAY. THAT PROBABLY WOULD BE EASIER FOR YOU.

LEG. CRECCA:

RIGHT. AND I'M SURE THAT YOU ENJOY BEING HERE AT THE LEGISLATURE, AS

MOST PEOPLE, AND SHARING YOUR EXPERTISE WITH US.

LEG. FISHER:
IT'S TERRIFIC REPRESENTATION.

MR. PHALEN:
GOOD GOVERNMENT.

LEG. CRECCA:
THAT'S CORRECT. WITH ALL EIGHTEEN OF US. GO AHEAD, MR. PHALEN.

MR. PHALEN:
BASICALLY WHAT WE'VE DONE IN THE PAST HAS BASICALLY BEEN TWO ENTITIES, THE FINANCE END AND THE SPACE MANAGEMENT END OF DPW THAT DEALS WITH LEASED BUILDINGS, BUILDING INVENTORY FOR THE COUNTY. I'VE BEEN DEALING WITH THE SPACE INVENTORY END AS THE SPACE MANAGEMENT UNIT.

WE'VE TAKEN THOSE TWO ENTITIES AND BASICALLY TRIED TO MERGE THEM TOGETHER TO HAVE ALL THE INFORMATION IN ONE DATABASE. THE FINANCIAL END HAS BEEN IN AN EXCEL SPREADSHEET TYPE OF PROGRAM, THE SPACE MANAGEMENT UNIT HASN'T BEEN IN A DATABASE. WE'VE TRIED TO MERGE THEM, IT'S NOT ALWAYS THAT EASY TO DO IT, BECAUSE THERE ARE TWO DIFFERENT

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TYPES OF PROGRAMS.

WE'VE PUT THEM TOGETHER SO THAT IT WOULD BE EASY ENOUGH FOR SOMEBODY TO GO IN, THEY WANTED INFORMATION ON A BUILDING IN THEIR LEGISLATIVE DISTRICT, THEY CAN GO THROUGH CERTAIN AREAS AND DETERMINE THE SQUARE FOOTAGE, THE LEASE, WHEN THE LEASE STARTED, WHEN IT EXPIRES, THE SQUARE FOOTAGE ON IT, THE COSTS THAT ARE GENERATED WITH THAT BUILDING, ETCETERA.

WHAT I'VE DONE IS GIVEN YOU SCREEN PRINTOUTS OF THIS DATABASE, ALONG WITH SOME SAMPLE REPORTS THAT CAN BE GENERATED FROM THE REPORT. THE FIRST PAGE GIVES YOU BASICALLY THE OPENING PAGE. AND SINCE THIS HAS BEEN PRINTED, WE'VE ACTUALLY DETERMINED THAT IT WOULD BE EASIER TO MERGE CERTAIN THINGS SO THAT IT WOULD BE MORE USER FRIENDLY AND WE'RE WORKING OUT OTHER CERTAIN THINGS.

LEG. FISHER:
AND WE CAN ACCESS THIS THEN?

MR. PHALEN:
CURRENTLY, NOT YET.

LEG. FISHER:
OKAY.

MR. PHALEN:

WE ARE ANTICIPATING WITHIN A MONTH, THEY WILL BE ACCESSIBLE. WE ARE ALSO TAKING ALL THE SIGNED LEASES FOR EACH FACILITY, SCANNING THEM IN AND PUTTING THEM IN A PDF FORMAT SO THAT THEY CAN BE ATTACHED TO THIS SO YOU CAN SEE WHAT IS INCLUDED IN THE LEASE, WHEN IT WAS SIGNED, WHEN IT WAS APPROVED. SO, ALL THAT INFORMATION WILL BE AT YOUR FINGERTIPS.

THE FIRST PAGE GOES OVER, BASICALLY SPLITS IT UP, NON FINANCIAL INFORMATION ON THE LEFT SIDE, FINANCIAL INFORMATION ON THE RIGHT SIDE. YOU'LL HAVE ON THE LEFT, THE RENTALS, THE RESPONSIBILITIES, THE NAME OF THE LANDLORD, THE FACILITY BUILDING INFORMATION, WHO IS IN CHARGE OF THE BUILDING, THE SQUARE FOOTAGE, BUILDING NUMBERS, ETCETERA.

LEG. FISHER:

AND ROOF INFORMATION, IN CASE WE'RE DEALING WITH THE WATER AUTHORITY?

MR. PHALEN:

MOST OF THAT WAS GENERATED IN THE PAST FOR COUNTY OWNED BUILDINGS, SO IT'S INCORPORATED. IN THE FUTURE, IT MAY WIND UP BEING WITH THE RENTAL BUILDINGS, BUT IT'S PRIMARILY FOR COUNTY BUILDINGS SO THAT WE CAN, I BELIEVE, TRACK WHEN THE ROOF IS DONE, SO WE HAVE AN IDEA OF, WELL, THAT ROOF LIFE HAS COME TO ITS END, YOU GET A BETTER HANDLE ON THINGS.

LEG. FISHER:

THAT'S VERY GOOD.

MR. PHALEN:

ON THE FINANCIAL SIDE, YOU'LL INCLUDE RENTAL COSTS, LEDGERS, QUICK LEDGER, WE CAN PRINT OUT A RENTAL COST REPORT, ESTIMATED OPERATING BUDGET, WE'VE INCLUDED A REPORT FOR A PAYMENT SCHEDULE REPORT, COST LEDGER OF THE COUNTY BUILDING, COST LEDGER OF A SPECIFIC BUILDING.

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WHAT WE DID IS TOOK ONE SPECIFIC BUILDING, INCORPORATED THIS HANDOUT AROUND THAT ONE BUILDING TO MAKE IT A LITTLE BIT EASIER, BUT IN SOME OF THE FINANCIAL REPORTS, IT COVERS THINGS THAT ARE GENERAL IN NATURE AS WELL TO GO OVER OTHER COUNTY OWNED AND RENTAL BUILDINGS.

WE'VE INCLUDED AN EXECUTIVE SUMMARY REPORT. WE HAVE A REPORT OF COUNTY BUILDINGS, WHETHER IT'S OWNED BY THE COUNTY, RENTED BY THE COUNTY. A REPORT FOR FIRE ALARM SYSTEMS THROUGHOUT THE VARIOUS BUILDINGS AND WHO WOULD BE MANAGING THEM. REPORT FOR TAX NUMBERS AND LEASE DATES, REPORT FOR A LANDLORD LIST, REPORT FOR BUILDING PROBLEMS, REPORT FOR SQUARE FOOTAGE AND AN INVENTORY --

LEG. FISHER:

I JUST WANTED TO SEE WHERE YOU'RE READING FROM, ARE YOU READING FROM SOMETHING WE HAVE? BECAUSE I'M STILL ON THE FIRST PAGE.

MR. PHALEN:
I'M JUST OUTLINING EVERYTHING THAT'S IN HERE.

LEG. FISHER:
OKAY.

LEG. CRECCA:
WE ASKED MR. PHALEN TO JUST GIVE US A BRIEF OVERVIEW, THAT WE WOULD BE ABLE TO GO BACK, LOOK AT THESE AND THEN INVITE HIM BACK TO THE NEXT MEETING.

LEG. FISHER:
OKAY. I THOUGHT HE WAS READING FROM THE FIRST PAGE AND I LOST HIM AFTER A WHILE.

MR. PHALEN:
I HAVE A CHEAT SHEET.

LEG. CRECCA:
I HAVE A LIST HERE OF PEOPLE WHO WANT TO ASK QUESTIONS, WERE YOU GOING TO KEEP GOING, MR. PHALEN?

MR. PHALEN:
NO. I PRETTY MUCH GAVE YOU AN OUTLINE OF WHAT IS IN YOUR PACKAGE.

LEG. CRECCA:
BEFORE I JUST TURN IT OVER TO LEGISLATOR CARACCIOLO AND THEN LEGISLATOR FIELDS, WHO IS ACTUALLY DETERMINING WHAT BECOMES PART OF THIS DATABASE, IS THAT DPW AT THIS POINT?

MR. PHALEN:
YES. IT'S ACTUALLY BEEN A STAFF BETWEEN MY UNIT, THE FINANCE PURCHASING UNIT AND THE IT AREA.

LEG. CRECCA:
INFORMATION TECHNOLOGY?

MR. PHALEN:
YES.

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LEG. CRECCA:
OKAY. ONE OF MY CONCERNS IS THAT YOU MIGHT WANT TO INCLUDE THE COUNTY ATTORNEY OR TERRY ALLAR IN ON THAT, BECAUSE ONE OF THE THINGS YOU TALKED ABOUT DOING IS SCANNING THE LEASES AND PUTTING THEM IN AS PART OF THE DATABASE?

MR. PHALEN:
I HAVE TO TALKED TO BASIA BRADDISH FROM THE COUNTY ATTORNEY'S OFFICE,

SHE IS AWARE OF THAT. IS THERE ANYTHING SPECIFIC?

LEG. CRECCA:

ONE OF MY CONCERNS WOULD BE, AND IT'S SOMETHING THAT SHOULD AT LEAST BE DISCUSSED, IS THAT, YOU KNOW, THE COUNTY IS OUT NEGOTIATING SPACE ALL THE TIME, AND I'M NOT SURE THAT I WOULD WANT ACCESS IF THIS, IF THIS DATABASE IS GOING TO BE MADE -- YOU'RE TALKING ABOUT PUTTING THIS AVAILABLE TO THE PUBLIC OR JUST FOR INTERNAL USE?

MR. PHALEN:

I BELIEVE IT WOULD BE COUNTYWIDE. THE INTENT WAS FOR THE LEGISLATORS TO BE ABLE TO LOOK AT IT, BUT NOBODY WOULD BE -- IT WOULD BE A READ ONLY, NOBODY WOULD BE ABLE TO DO ANYTHING WITH IT.

LEG. CRECCA:

I GUESS MY QUESTION IS WOULD THE PUBLIC BE ABLE TO GET IT VIA THE INTERNET?

MR. PHALEN:

I CAN'T ANSWER THAT YET.

LEG. CRECCA:

I'LL TELL YOU WHAT MY CONCERN IS. MY CONCERN IS THAT WHEN THE COUNTY ATTORNEY GOES TO NEGOTIATE A LEASE AND THEY'RE SAYING THAT WE DON'T WANT A PROVISION IN THAT SAYS X, Y, Z, NOW YOU'VE GOT A LANDLORD AT THE OTHER END WHO IS ABLE TO SCAN EVERY LEASE IN SUFFOLK COUNTY AND TURN AROUND AND SAY, YOU HAVE FIVE LEASES THAT HAVE THAT PROVISION, SO YOU'RE WRONG TO SAY IT'S INCONSISTENT WITH WHAT THE COUNTY'S POLICY IS. IT MAY PUT US AT A DISADVANTAGE.

IT'S SOMETHING I THINK AT LEAST IS WORTHY OF DISCUSSION WITH THE COUNTY ATTORNEY'S OFFICE AND POSSIBLY EVEN, I DON'T KNOW, I DON'T THINK REAL ESTATE ACTUALLY DEALS WITH THE LEASE PROPERTY, DO YOU? YOU DO. SO MAYBE EVEN INCLUDE THE REAL ESTATE DIVISION IN ON THIS.

MR. PHALEN:

I THINK THIS WAS SET UP, BASICALLY THIS BODY REQUESTED THE INFORMATION SO IT'S EASIER TO GET INFORMATION. MS. FIELDS HAS BEEN IN OUR OFFICE DISCUSSING THAT WITH OUR DEPUTY COMMISSIONER, MYSELF, I AGREE THAT IT PROBABLY WOULD BE BETTER --

LEG. CRECCA:

YOU CAN DO IT WITH SECURITY --

MR. PHALEN:

-- JUST FOR THE COUNTY, BECAUSE IT DOES CREATE A PROBLEM WITH NEGOTIATING, I GUESS.

LEG. CRECCA:

YOU CAN ALSO MAYBE SET UP A SECURITY, AND I'M NOT AN IT PERSON, BUT YOU CAN CERTAINLY MAKE IT SO THAT ONLY CERTAIN PEOPLE HAVE ACCESS TO IT. I'M GOING TO TURN IT OVER TO LEGISLATOR CARACCIOLO. IT'S SOMETHING I THINK SHOULD BE CONSIDERED IN PUTTING THE DATABASE TOGETHER AND I THINK THE RIGHT PEOPLE TO CONSULT WOULD BE THE COUNTY ATTORNEY AND CERTAINLY THE REAL ESTATE DIVISION AT THE LEAST.

MR. PHALEN:

THE ONLY THING I WOULD ASK IF YOU WANT US TO RESTRICT IT TO CERTAIN AREAS, MAYBE MS. FIELDS, SINCE SHE'S BEEN MORE INVOLVED WITH IT, CAN LET US KNOW WHAT YOUR INTENTION WOULD BE SO THAT WE CAN SEE IF IT CAN BE IMPLEMENTED.

LEG. CRECCA:

OKAY. BUT AGAIN, I WOULD ALSO TALK TO THE COUNTY DEPARTMENTS. AND IT'S NOT A BAD IDEA TO HAVE A LEGISLATOR INVOLVED TOO.

MR. PHALEN:

WE CAN BRING THAT UP AT THE SPACE MANAGEMENT COMMITTEE MEETING, WHICH THEY'RE BOTH IN ATTENDANCE FOR.

LEG. CRECCA:

THANK YOU.

LEG. CARACCIOLO:

MR. PHALEN, WHAT I WOULD BE INTERESTED IN IS REALLY A SNAPSHOT VIEW OF ALL COUNTY LEASED, ALL COUNTY LEASES FOR ANY RENTAL SPACE, THE CUMULATIVE COST AND WHETHER OR NOT THAT COST HAS BEEN STEADILY INCREASING, WHO THE LANDLORDS ARE, WHAT THE PER SQUARE FOOTAGE RATES ARE, BASICALLY A SPREADSHEET, IF YOU WILL, OF EVERY PROPERTY THAT WE'RE LEASING SPACE IN, WHO OWNS IT. I'D LIKE TO FIND OUT WHO MADE POLITICAL CONTRIBUTIONS, BUT I CAN'T, I'D HAVE TO GO TO THE BOARD OF ELECTIONS TO GET THAT.

MR. PHALEN:

MOST OF THAT INFORMATION I BELIEVE IS IN YOUR PACKET IN A BRIEF FORM TO GET YOU THAT INFORMATION.

LEG. CARACCIOLO:

I WAS BEING A LITTLE BIT FACETIOUS, BUT IT'S BEEN SUGGESTED THAT --

LEG. HALEY:

BETTER CHECK YOUR OWN RECORDS FIRST.

LEG. CARACCIOLO:

I DON'T HAVE A PROBLEM, MARTY.

LEG. HALEY:

YOU NEVER KNOW WHO GIVES YOU MONEY, RIGHT, YOU NEVER KNOW WHAT THEY

OWN.

LEG. CARACCILO:

NO, YOU DON'T. NEWSDAY KNOWS WHO CONTRIBUTES TO MY CAMPAIGN, BECAUSE THEY FOILED MY PACKS.

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LEG. HALEY:

THEY FOIL ALL OF OURS.

LEG. CARACCILO:

I'M NOT CONCERNED ABOUT THAT.

MR. PHALEN:

THERE IS A COMPLETE LANDLORD LIST AS A SEPARATE REPORT.

LEG. CARACCILO:

WHAT YOU HANDED OUT TODAY, DOES THIS INCLUDE THE LEGISLATIVE OFFICES AND THE SPACE THAT --

MR. PHALEN:

YES, BECAUSE IT'S A RENTAL SPACE.

LEG. CARACCILO:

OKAY. BUT I DON'T SEE IT HERE, I MEAN I SEE ONE SHEET THAT'S NUMBERED ONE, ANOTHER ONE, ONE OF SIXTY-FOUR, AND THEN I SEE THE LAST SHEET, SO THERE'S OBVIOUSLY SOMETHING IN BETWEEN THAT I DON'T HAVE.

MR. PHALEN:

I WOULDN'T HAVE ENOUGH ARM STRENGTH TO CARRY ALL THAT FOR SEVEN MEMBERS.

LEG. CARACCILO:

OKAY. BUT REALLY I THINK WHAT THE COMMITTEE IS LOOKING FOR IS A SUMMARY SHEET OR A REPORT OF WHAT IT IS, AND BUDGET REVIEW CAN PROBABLY PULL IT UP RIGHT NOW ON THE COMPUTER, WHAT IS THE COST TO THE COUNTY ON AN ANNUALIZED BASIS FOR LEASED OR RENTAL SPACE, JIM?

MR. SPERO:

I THINK IT'S AROUND TEN OR ELEVEN MILLION. I COULD GET THE EXACT NUMBER, I DON'T HAVE IT ON THE COMPUTER.

LEG. CARACCILO:

OKAY. AND APPROXIMATELY, MR. PHALEN, HOW MUCH SQUARE FOOTAGE DOES THE COUNTY LEASE OR RENT ON AN ANNUALIZED BASIS?

MR. PHALEN:

THIS WILL ALL BE INCLUDED IN THE REPORT.

LEG. CARACCILO:

DO YOU KNOW WHAT THAT NUMBER IS? I'VE HEARD THE NUMBER FROM COMMISSIONER BARTHA, THIS IS INFORMATION THAT I'VE BEEN AFTER FOR YEARS, OKAY, AND IT SEEMS ONLY RECENTLY WE'RE BEGINNING TO HAVE THE TECHNOLOGY THAT CAN SUPPLY US WITH THIS INFORMATION. SO, IT'S LONG OVERDUE INFORMATION.

AND AGAIN, WE TALK ABOUT LEGISLATIVE BODIES AND OVERSIGHT OF COUNTY GOVERNMENT, THIS IS A PRIME EXAMPLE OF WHERE COSTS HAVE BECOME RUN AWAY, BECAUSE NOBODY HAS BEEN WATCHING THE STORE. SO AGAIN, I WOULD JUST SUBMIT IT'S PART OF THE OTHER DISCUSSION, THAT MORE IS NOT BETTER, THAT LEGISLATORS HAVEN'T ALWAYS DONE THEIR JOB AND HAVING MORE LEGISLATORS DOESN'T IN MY MIND MEAN THAT INFORMATION LIKE THIS WILL BE MORE READILY AVAILABLE, YOU REALLY HAVE TO WAIT FOR THE TECHNOLOGY.

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MR. PHALEN:

THE INFORMATION THAT YOU DID REQUEST IS AVAILABLE. WE COULD NOT OBVIOUSLY BRING THE ENTIRE THING. ONCE IT IS UP AND RUNNING, YOU SHOULD BE ABLE TO FROM YOUR OFFICE BE ABLE TO LOOK AT THAT, BE ABLE TO PRINT OUT YOUR OWN SPREADSHEET ON ANY OF THOSE ITEMS THAT YOU HAD REQUESTED.

LEG. CARACCILO:

I UNDERSTAND THAT, BUT ALL I'M GETTING AT, MR. CHAIRMAN, IS WE'RE LOOKING FOR A SUMMARY REPORT OF WHAT IT IS, WHERE IT IS, WHO OWNS IT, WHO WE'RE LEASING FROM, HOW MUCH WE'RE PAYING FOR IT AND WHAT THE TRENDS HAVE BEEN, YOU KNOW, ARE WE PAYING FAIR MARKET VALUE FOR LEASE SPACE, ARE WE IN BUILDINGS, LIKE THE CORAM HEALTH CENTER, WHERE WE HAVE A LANDLORD THAT HAS FAILED TO MEET ITS OBLIGATIONS? I MEAN THOSE ARE THE REAL CENTRAL ISSUES HERE ABOUT GOOD MANAGEMENT AND OVERSIGHT OF COUNTY GOVERNMENT.

JIM, WHAT IS THE TOTAL AMOUNT OF SQUARE FOOTAGE THE COUNTY OCCUPIES?

MR. SPERO:

IT RUNS INTO THE MILLIONS OF SQUARE FEET. AND THE EXACT NUMBER, AMOUNT OF RENTAL SPACE WE LEASE, I CAN'T TELL YOU.

LEG. CARACCILO:

OKAY. NOW YOU, NOT YOU PER SE, BUT BRO HAS BEEN A MEMBER OF THE SPACE MANAGEMENT COMMITTEE FROM ITS INCEPTION, WHAT IS THE CONTINUING RATIONALE OF RENTING SO MUCH SPACE WHEN WE OWN SO MUCH LAND THAT WE COULD BUILD OUR OWN BUILDINGS AND SAVE MONEY, WHAT IS THE ONGOING RATIONALE THAT PRECLUDES US FROM DOING THAT?

MR. SPERO:

A LOT OF THE RENTED SPACE IS FOR REIMBURSABLE DEPARTMENTS, SOCIAL SERVICES AND HEALTH BEING THE PRIMARY AGENCIES.

LEG. CARACCIOLO:

ALL RIGHT. SO LET ME INTERRUPT YOU THERE. IF YOU PUT THOSE AGENCIES IN COUNTY OWNED FACILITIES, THEY'RE NOT REIMBURSABLE?

MR. SPERO:

THEY ARE, BUT AT A DIFFERENT RATE. IF YOU LEASE SPACE, YOU CAN --

LEG. CARACCIOLO:

WHAT'S THE NET COST DIFFERENCE? THAT'S REALLY THE QUESTION.

MR. SPERO:

IT DEPENDS ON THE BUILDING, BUT IF YOU LEASE THE SPACE, YOU CAN CHARGE FOR REIMBURSEMENT THE ANNUAL COST OF THE LEASE.

LEG. CARACCIOLO:

I UNDERSTAND THE METHODOLOGY. MY QUESTION IS VERY SIMPLE, HAS ANYONE EVER SAT DOWN AND DONE A COST ANALYSIS ON A CASE BY CASE --

MR. SPERO:

YES. AND IT'S ALWAYS BEEN CHEAPER FOR US TO LEASE SPACE BECAUSE OF THE REIMBURSEMENT FORMULAS.

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LEG. CARACCIOLO:

ALWAYS?

MR. SPERO:

THAT'S NOT ECONOMICAL FOR US. IT WOULD BE CHEAPER IF THE STATE OR THE FEDS CHANGED THE WAY THEY SET THE FORMULAS, BUT BECAUSE OF THE WAY THEY'RE SET, IT ENCOURAGES LOCALITIES LIKE SUFFOLK COUNTY TO GO OUT AND LEASE SPACE FOR THESE FUNCTIONS, RATHER THAN OWN BUILDINGS , BECAUSE YOU JUST DON'T RECOVER THE COSTS FAST ENOUGH.

LEG. CARACCIOLO:

THE NET COST TO THE COUNTY, GIVE ME THAT FIGURE AGAIN, THE NET COST.

MR. SPERO:

IN GENERAL, I CAN'T GIVE YOU AN EXACT FIGURE, IT'S CHEAPER FOR THE COUNTY TO LEASE SPACE BECAUSE OF THE REIMBURSEMENT.

LEG. CARACCIOLO:

I HEARD YOU SAY THAT, ANSWER THE QUESTION. THE NET COST TO THE COUNTY ON AN ANNUALIZED BASIS, HOW MUCH DO WE PUT IN OUR OPERATING BUDGET TO PAY FOR LEASED AND RENTAL SPACE?

MR. SPERO:

THERE'S ABOUT TEN OR ELEVEN MILLION DOLLARS.

LEG. CARACCIOLO:
THAT'S WHAT I THOUGHT I HEARD YOU SAY.

LEG. CRECCA:
IS THAT POST, PRE, BEFORE OR AFTER REIMBURSEMENT?.

LEG. CARACCIOLO:
THAT'S NET COST.

MR. SPERO:
GROSS.

LEG. CARACCIOLO:
THAT'S GROSS? WHAT'S OUR NET COST?

MR. SPERO:
I CAN'T TELL YOU, BECAUSE IT DEPENDS ON THE AGENCY AND THE RATES OF REIMBURSEMENT FOR THE VARIOUS FUNCTIONS THAT ARE HOUSED IN THE SPACE.

LEG. CARACCIOLO:
OKAY. ARE YOU SATISFIED, IS THE BUDGET REVIEW OFFICE SATISFIED THAT OVER THE YEARS, INCLUDING THIS YEAR, THAT THE MANNER IN WHICH THE COUNTY HAS LEASED SPACE HAS BEEN THE MOST COST EFFICIENT WAY TO DO BUSINESS OR HAS THE SPACE MANAGEMENT COMMITTEE AND OTHERS TAKEN IT UPON THEMSELVES TO EMPLOY PRACTICES THAT ARE NOT THE MOST COST EFFECTIVE MEANS FOR TAXPAYERS?

MR. SPERO:
WE'RE SATISFIED THAT THE WAY WE'VE BEEN DOING IT HAS BEEN THE MOST COST EFFECTIVE WAY FOR THE COUNTY. HOWEVER, WE WOULD LIKE TO SEE THE WAY THE STATE AND THE FEDS CHANGED THEIR METHODOLOGIES FOR THE

REIMBURSEMENT.

LEG. CARACCIOLO:
OKAY. ABSENT THOSE CHANGES, YOU'RE SATISFIED, BOTTOM LINE WHEN WE GET ALL OF THIS INFORMATION AND SOMEBODY TRIES TO MAKE HAY OUT OF SOMETHING THAT MAY OR MAY NOT BE VALID, BOTTOM LINE IS YOU'RE SATISFIED, THE BUDGET REVIEW OFFICE OF THE COUNTY LEGISLATURE IS SATISFIED THAT THE PRACTICES AND CURRENT PRACTICE IS THE MOST COST EFFICIENT WAY FOR THE COUNTY TO OCCUPY SPACE?

MR. SPERO:
FOR THE COUNTY, NOT FOR THE TAXPAYERS AS A WHOLE.

LEG. CARACCIOLO:
OKAY. BECAUSE THEY PAY OTHER LEVELS OF GOVERNMENT.

MR. SPERO:
THAT'S RIGHT. THE OTHER LEVELS OF GOVERNMENT --

LEG. CARACCILO:
BUT WE DON'T HAVE CONTROL OVER THE OTHER LEVELS --

MR. SPERO:
THAT'S RIGHT. IT WOULD BE CHEAPER TO OWN ALL THE BUILDINGS THAT YOU OCCUPY.

LEG. CARACCILO:
OKAY. THANK YOU.

LEG. CRECCA:
LEGISLATOR FIELDS.

LEG. FIELDS:
THE PURPOSE OF THIS REPORT, AND THIS IS FOR LEGISLATOR CARACCILO OR ANYONE THAT'S DOESN'T UNDERSTAND THE PURPOSE, WAS BECAUSE EVERY TIME A UNIT OF GOVERNMENT OR A DEPARTMENT WOULD COME IN AND SAY TO THE WAYS & MEANS COMMITTEE, WE'D LIKE YOU TO RENEW THE LEASE, WE FOUND OUT THAT THE LEASE HAD EXPIRED SIX MONTHS AGO AND WE WERE ON THE GUN TO APPROVE IT, BECAUSE WE'D BE OUT IN THE STREET, AND SO WE WOULD PAY DOUBLE AND TRIPLE RENT AND IT WAS TOTALLY AND ABSOLUTELY ASININE.

SO, WHAT I ASKED TO DO WAS TO HAVE ALL OF THE COUNTY RENTALS PUT IN ONE PLACE SO THAT ANYONE, MAYBE NOT THE PUBLIC, BUT SOMEONE THAT'S IN CHARGE OF OVERSEEING LEASES, WOULD BE ABLE TO LOOK AT THE LEASE AND SAY, WHOOPS, WAIT A MINUTE, WE'VE GOT A LEASE DUE NEXT YEAR OR SIX MONTHS FROM NOW, HOPEFULLY THEY'RE LOOKING IN ADVANCE AT WHAT WE'RE DOING.

SO, IN ANSWER TO YOUR QUESTION, LEGISLATOR CARACCILO, THIS -- JUST BY GETTING THIS IN RESPONSE TO MY BILL TO TRY TO GET A LEASE DATABASE, IS GOING TO GIVE US THE OPPORTUNITY TO FIND A MORE ECONOMIC WAY OF RENTING SPACE, BECAUSE WE'RE NOT UNDER THE GUN IF SOMEONE IS GOING TO BE WATCHING THIS AND THEY'RE PUTTING GOOD INFORMATION IN. AND ONE OF THE THINGS, KEN, THAT I'D LIKE TO ASK IS THAT NORA BREDES' OFFICE IS LISTED ON THIS.

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LEG. HALEY:
THIS IS 2002.

LEG. FIELDS:
BUT SHE HASN'T BEEN A LEGISLATOR FOR ABOUT FOUR OR FIVE YEARS.

LEG. HALEY:
THAT'S HOW THEY WROTE THE ORIGINAL LEASE.

LEG. FIELDS:
SO I JUST WANT TO, YOU KNOW --

MR. PHALEN:
IT MAY BE STILL IN THE DATABASE, BECAUSE IT STILL HAD A BUILDING NUMBER
AND THE BUILDING NUMBER IS NOT REUSED, SO IT'S STILL PART OF THAT
DATABASE SO THAT WE CAN REFER TO IT FOR PAST PRACTICES AS WELL.

LEG. CRECCA:
AND IT DOES SAY WHEN IT'S TERMINATED, IF YOU LOOK, IT SAYS LEASE
TERMINATED.

MR. PHALEN:
IT WILL SAY WHEN THE LEASE WAS TERMINATED.

LEG. FIELDS:
OKAY.

MR. PHALEN:
BUT THAT INFORMATION WILL NOT BE REMOVED FROM THE DATABASE, BECAUSE
IT'S STILL A BUILDING NUMBER, IT'S STILL IN OUR INVENTORY, IT'S JUST NO
LONGER USED OR JUST REPLACED BY SOMEBODY, BUT THAT'S STILL PAST
INFORMATION, IT'S NOT NECESSARILY CURRENT.

LEG. FIELDS:
OKAY. SO MY POINT IS, THIS IS EXACTLY WHAT I WAS LOOKING FOR, I
APPRECIATE IT, I KNOW THERE WAS A LOT OF WORK, BECAUSE WE HAD ONGOING
MEETINGS TO TRY TO FIND OUT WHY YOU COULDN'T DO IT. YOU MANAGED TO DO
IT, YOU DID EXACTLY WHAT I ASKED YOU TO DO AND I WANT TO TELL YOU THAT
I APPRECIATE IT VERY MUCH, BECAUSE WITH THIS INFORMATION, WE ARE NOW
GOING TO BE ABLE TO ASCERTAIN A LOT OF INFORMATION THAT'S GOING TO HELP
SAVE US MONEY I THINK IN THE END.

AND I THINK BUDGET REVIEW WOULD AGREE WITH THAT, BECAUSE OF THE SPACE
MANAGEMENT PROBLEMS THAT WE'VE LOOKED AT AND THIS WHOLE COMMITTEE HAS
LOOKED OUT IN THE WAYS & MEANS COMMITTEE WHEN IT COMES TO LEASES BEING
EITHER NEW ONES OR CONTINUED. THANK YOU VERY, VERY MUCH.

MR. PHALEN:
THANK YOU.

LEG. CRECCA:
THANK YOU, LEGISLATOR FIELDS. MR. PHALEN, I THANK YOU ON BEHALF OF THE
COMMITTEE. WE CERTAINLY LOOK FORWARD TO SEEING YOU, OUR NEXT COMMITTEE
MEETING ISN'T FOR ABOUT ANOTHER MONTH, SO IT GIVES YOU PLENTY OF TIME
TO COME BACK TO US AND GIVE AN UPDATE AND ALSO WE'LL ALLOW LEGISLATORS
TO REVIEW WHAT YOU'VE DONE AND ASK MORE QUESTIONS ON THE NEXT DATE.

MR. PHALEN:

BY THAT TIME, MAYBE I COULD MEET WITH LEGISLATOR CARACCIOLO AND FIELDS AND GET MORE SPECIFIC INFORMATION, SO THAT WHEN I DO COME BACK, I'LL HAVE EXACTLY WHAT YOU WANT, WHEN YOU WANT, SO THAT MAKES IT EASIER AND EVERYBODY IS HAPPY.

LEG. CRECCA:

AND AGAIN, I ASK THAT YOU CONSULT THE REAL ESTATE DIVISION AS WELL AS THE COUNTY ATTORNEY'S OFFICE ABOUT WHAT INFORMATION SHOULD BE AVAILABLE. I'M NOT TALKING ABOUT THE LEGISLATORS, I'M SAYING WE MIGHT WANT TO CONTROL WHAT'S AVAILABLE TO THE PUBLIC FOR THE COUNTY'S INTEREST.

MR. PHALEN:

OR IF IT SHOULD BE OPEN TO THE PUBLIC.

LEG. CRECCA:

THANK YOU. I WOULD LIKE TO GO TO THE AGENDA, SO IF WE CAN HAVE ALL LEGISLATORS ON THE COMMITTEE TO THE HORSESHOE.

TABLED RESOLUTIONS

1021. ADOPTING LOCAL LAW NO. -2003, A CHARTER LAW TO RESTORE AND ENSURE HONESTY AND INTEGRITY TO SUFFOLK COUNTY LAND TRANSACTIONS. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, AND FINANCE. (CARACCIOLO)

LEG. CRECCA:

FIRST TABLED RESOLUTIONS. THE FIRST RESOLUTION BEFORE US IS 1021.

LEG. CARACCIOLO:

MOTION TO TABLE.

LEG. FIELDS:

MOTION TO TABLE BY THE SPONSOR, SECONDED BY MYSELF. ALL THOSE IN FAVOR? OPPOSED? TABLED.

(VOTE: 5-0-0-2) (ABSENT: HALEY, GULDI) TABLED

LEG. CRECCA:

1040 WAS WITHDRAWN BY THE SPONSOR, I WOULD ASK THE CLERK STRIKE THAT FROM OUR AGENDA.

1041. ADOPTING LOCAL LAW NO. -2003, A CHARTER LAW TO ESTABLISH 19TH LEGISLATIVE DISTRICT. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, AND FINANCE. (FISHER)

LEG. CRECCA:

1041.

LEG. FISHER:

MR. CHAIR, CAN WE PASS THIS OVER UNTIL LEGISLATOR GULDI HAS RETURNED?

LEG. CRECCA:

SURE.

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1042. TO AMEND 2003 RULES OF THE COUNTY LEGISLATURE IN CONNECTION WITH PRESS CONFERENCES. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, AND FINANCE. (FISHER)

LEG. CRECCA:

1042.

LEG. FISHER:

TABLE.

LEG. CRECCA:

MOTION TO TABLE BY THE SPONSOR, SECONDED BY LEGISLATOR BISHOP. ALL THOSE IN FAVOR? OPPOSED? TABLED.

(VOTE: 6-0-0-1) (ABSENT: GULDI) TABLED

1078. ADOPTING LOCAL LAW NO. -2003, A CHARTER LAW TO ESTABLISH A FULLY INDEPENDENT COUNTY DEPARTMENT OF REAL ESTATE. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, AND FINANCE.

LEG. CRECCA:

1078.

LEG. CARACCILOLO:

MOTION TO TABLE.

LEG. CRECCA:

MOTION TO TABLE BY LEGISLATOR CARACCILOLO.

LEG. BISHOP:

ON THE MOTION, I JUST WANT TO FIND OUT WHAT THE OPINION OF THE REAL ESTATE DIVISION IS OR IF THEY FEEL THAT IT'S INAPPROPRIATE FOR THEM TO OFFER AN OPINION?

LEG. CRECCA:

I'LL SECONDS THE TABLING MOTION FOR PURPOSES OF DISCUSSION, AND IF WE CAN, CHRISTINE, IF YOU WOULD JUST ENLIGHTEN US ON THE DEPARTMENT'S POSITION.

MS. COSTIGAN:

WE'RE HERE TO SERVE IN WHATEVER CAPACITY YOU THINK APPROPRIATE.

LEG. BISHOP:

DO YOU THINK THAT THERE IS ANY -- I UNDERSTAND. DO YOU THINK THAT THERE ARE ANY STRUCTURAL CHANGES THAT CAN BE MADE THAT WOULD IMPROVE SERVICE DELIVERY IN THE AREA? I MEAN I HAVE ONE IN MIND. FOR EXAMPLE, I FEEL THAT, PERSONALLY, AND I THINK OTHER LEGISLATORS, IF THEY WERE LISTENING WOULD AGREE, I THINK THEY WOULD AGREE THAT THE OPERATIONS IN THE REAL ESTATE AREA WOULD BE ENHANCED IF THE ATTORNEYS WORKED OR REPORTED -- FIRST OF ALL, IF THERE WERE MORE ATTORNEYS ASSIGNED TO IT AND IF THEY REPORTED TO THE DIVISION OF REAL ESTATE OR TO WHOEVER, IF THERE'S A DEPARTMENT HEAD ABOVE REAL ESTATE, THE PLANNING DIRECTOR, BECAUSE I FEEL THAT IN MY EXPERIENCE THE BIGGEST BOTTLENECK IS THE FACT THAT THERE ARE NOT ENOUGH ATTORNEYS AND IT DOESN'T SEEM TO BE PROPER COORDINATION.

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LEG. FISHER:
NEVER ENOUGH ATTORNEYS.

LEG. CRECCA:
I HAVE TO AGREE WITH DAVE BISHOP.

LEG. BISHOP:
THERE'S ENOUGH COUNTY ATTORNEYS, THERE'S JUST NOT ENOUGH ASSIGNED TO ONE OF THE MOST IMPORTANT FUNCTIONS THAT THE COUNTY ATTORNEY'S OFFICE HAS, WHICH IS REAL ESTATE TRANSACTIONS.

LEG. CRECCA:
BUT FOCUSING BACK ON WHAT YOU'RE DRIVING AT, I GUESS YOU'RE ASKING --

LEG. BISHOP:
I DON'T KNOW. I'M ASKING, I'M ALSO -- I'M NOT FILIBUSTERING, GEE, I MEAN YOU SPOKE FOR AN HOUR, I'M ALSO TRYING TO BE PROVOCATIVE TO GET OTHER LEGISLATORS' OPINIONS ON THE ISSUE, BECAUSE I THINK THERE IS A CONSENSUS THAT THAT IS A PROBLEM.

MS. COSTIGAN:
I WOULD AGREE WITH THAT, I MEAN THAT WE HAVE A BOTTLENECK IN GETTING APPRAISALS AND GETTING THEM DONE IN A TIMELY FASHION AND HAVING ENOUGH APPRAISERS AND WE'RE TRYING TO EXPAND THE LIST. BUT WE HAVE ANOTHER -- THERE'S ANOTHER OPPORTUNITY FOR BOTTLENECK WHEN YOU HAVE TO GET THE CONTRACT DONE.

LEG. CRECCA:
CHRISTINE, IS IT FAIR TO SAY, I'M JUST FOLLOWING UP ON WHAT DAVID SAID, THAT YOU REALLY DON'T WANT TO EXPRESS A STRONG OPINION AS TO WHETHER THERE'S AN INDEPENDENT REAL ESTATE DEPARTMENT OR NOT, WHAT DO YOU THINK IS BETTER GOVERNMENTALLY? IF YOU DON'T WANT TO ANSWER, THAT'S ALL RIGHT.

MS. COSTIGAN:

I REALLY DON'T, NO. I MEAN I JUST -- WE KNOW WHAT WE HAVE TO DO, AND IN WHATEVER FORM WE HAVE TO DO IT IS KIND OF ANCILLARY.

LEG. CRECCA:

WOULD THE COMMISSIONER OF PLANNING WISH TO ADDRESS THE LEGISLATURE ON THIS ISSUE? BECAUSE I KNOW YOU HAVE IN THE PAST, TOM, SO, THANK YOU. ARE YOU THE DIRECTOR OR COMMISSIONER?

MR. ISLES:

DEFINITELY DIRECTOR.

LEG. CRECCA:

WHY IS HE NOT A COMMISSIONER?

MR. ISLES:

THERE WAS A PROPOSAL SUBMITTED BY THE COUNTY EXECUTIVE LAST YEAR AS A RECOMMENDATION OF THE JOINT EXECUTIVE LEGISLATIVE COMMITTEE THAT WOULD CALL FOR A SEPARATION IN PLANNING AND THE ELEVATION OF REAL ESTATE TO DEPARTMENTAL STATUS WITH DIRECT ACCESS AND RESPONSIBILITY TO THE COUNTY EXECUTIVE AND, IN FACT, TO THE LEGISLATURE. WE SUPPORTED THAT RESOLUTION AND IT WAS OBVIOUSLY NOT APPROVED.

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IN TERMS OF THE FUNDAMENTAL QUESTION ON THIS RESOLUTION, WE STILL SUPPORT THE CONCEPT OF THE SEPARATION IF THAT MOVES FORWARD. WE HAVE A NUMBER OF ISSUES WITH THE SPECIFIC LANGUAGE WITHIN THIS RESOLUTION THAT WE WOULD TAKE EXCEPTION TOO, HOWEVER.

LEG. CRECCA:

WHAT I WOULD ASK THAT YOU DO, TOM, LEGISLATOR BINDER HAS INDICATED TO ME THAT HE WISHES TO KNOW WHAT THAT CRITICISM IS, IT CERTAINLY DOESN'T NEED TO BE DONE HERE AT THIS JUNCTURE, BECAUSE HE HAS INDICATED A WILLINGNESS TO AMEND THE BILL. SO I WOULD ASK THAT SOMEBODY FROM PLANNING OR PLANNING AND REAL ESTATE, WHATEVER YOU THINK IS APPROPRIATE, CONTACT LEGISLATOR BINDER AND MAYBE WORK WITH HIM ON THE RESOLUTION. LEGISLATOR HALEY.

MR. ISLES:

WE WILL DO THAT.

LEG. HALEY:

IT MAKES ME REAL NERVOUS WHEN WE'RE ADDING MORE ATTORNEYS. AND IT SEEMS TO ME THAT THAT'S BEEN THE --

LEG. BISHOP:

YOU'RE NOT ADDING ATTORNEYS, YOU'RE ASSIGNING ATTORNEYS.

LEG. HALEY:

ASSIGNING, WE'LL PROBABLY BE ADDING, THAT'S HOW IT WORKS. RECENTLY

THEY SAID THE PUBLIC ADMINISTRATOR NOW HAS TO BE AN ATTORNEY. AND I REMEMBER WHEN REAL ESTATE WAS, IN FACT, SEPARATE, WASN'T IT AT ONE TIME?

MR. ISLES:
YES.

LEG. HALEY:
AND THEN THEY CHANGED THAT AND THEY HAD TO HAVE AN ATTORNEY IN CHARGE OF REAL ESTATE. SO I REALLY GET CONCERNED WHEN WE THINK THERE'S A PROPENSITY -- WE THINK THAT WE NEED MORE ATTORNEYS.

NOW, WHAT I THINK YOU'RE SAYING IS THAT, AND THE QUESTION I HAVE IS THAT A LOT OF TIMES WHEN WE CALL THEM UP AND WE SAY WHAT'S GOING ON WITH SUCH AND SUCH A PROJECT, IT'S ON SOMEONE ELSE'S DESK AND IT'S USUALLY AN ATTORNEY'S DESK, CORRECT?

MS. COSTIGAN:
CORRECT.

LEG. HALEY:
AND HOW MANY ATTORNEYS DO YOU HAVE THAT WORK FOR REAL ESTATE THAT TYPICALLY ARE ASSIGNED TO YOU?

MS. COSTIGAN:
ONE.

LEG. HALEY:
AND WHO IS THAT?

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MS. COSTIGAN:
DAVE FISHBEIN.

LEG. HALEY:
DAVE FISHBEIN. AND I THINK, DAVE, YOU AND I HAVE HAD THIS DISCUSSION, I THINK SOME OF THE STUFF YOU'RE INTERESTED IN OUT OF THE DEPARTMENT OF PUBLIC WORKS HAS BEEN HELD UP BECAUSE IT WINDS UP GOING TO AN ATTORNEY AND SITS THERE AND LANGUISHES AND DOESN'T COME BACK FOR AWHILE. AND I THINK SOMETIMES THAT HAPPENS IN THIS PARTICULAR INSTANCE TOO, ESPECIALLY AS, I DON'T KNOW IF MR. FISHBEIN GETS ASSIGNED OTHER WORK BESIDES WHAT THEY HAVE TO DO FOR THEM.

BUT I THINK IF YOU GO BACK TO A DEPARTMENT STATUS, AND I THINK WHAT HAPPENS IS THEY CAN, IN FACT, BECOME THE PROPERTY MANAGERS, ALL RIGHT, AND DPW IN EFFECT BECOMES, FOR LACK OF A BETTER EXPRESSION, A VENDOR THAT IS USED TO MAINTAIN BUILDINGS, SO ON AND SO FORTH, BUT THEN YOU PROVIDE THE FOCUS I THINK THAT'S NECESSARY THAT RESOLVES A LOT OF OUR REAL ESTATE QUESTIONS, IF YOU GO BACK AND GIVE THEM, GIVE THEM THAT

WHICH THEY NEED AND WHICH INCLUDES WHAT YOU SAID IS A FULL-TIME ATTORNEY, NOT ASSIGNED TO THEM THAT'S ACTUALLY IN THEIR BUDGET.

LEG. BISHOP:

RIGHT. CAN I? I DON'T KNOW IF I'M NEXT, BUT I JUST WANT TO ASK COUNSEL IF THAT CAN BE DONE?

LEG. CRECCA:

YES.

MR. SABATINO:

IN 1998, WHEN WE CREATED THE CURRENT STRUCTURE THAT TOOK EFFECT IN JANUARY OF 1999, THAT'S EXACTLY WHAT WAS DONE. HOWEVER, THE EXECUTIVE RAISED OBJECTIONS TO IT AND SHORTLY THEREAFTER YOU TRANSFERRED THE POSITIONS BACK TO THE COUNTY ATTORNEY'S OFFICE. SO IT'S BEEN DONE IN THE PAST, BUT YOU REVERSED IT AT THE REQUEST OF THE COUNTY EXECUTIVE IN 1999.

LEG. BISHOP:

SO CAN I -- WHO SHOULD I DIRECT AN INQUIRY TO THE COUNTY EXECUTIVE'S OFFICE?

MR. SABATINO:

IT'S A BUDGET AMENDMENT CONCEPT, WHICH WOULD BE TO MOVE THE -- WHEN WE CREATED THAT DEPARTMENT IN 19, I'M SORRY, WHEN WE TRANSFERRED THE DIVISION TO PLANNING IN 1998, WE MOVED ALL THE RESOURCES TO MAKE IT A CONSOLIDATED FUNCTION, AS YOU JUST DESCRIBED, THAT WAS THE THEORY BEHIND IT, TO HAVE THE RESOURCES AVAILABLE, AND THAT WAS REVERSED.

LEG. BISHOP:

ALL RIGHT. I GUESS I'LL JUST WRITE A LETTER.

LEG. CRECCA:

THERE'S A MOTION TO TABLE BY LEGISLATOR CARACCIOLO, SECONDED BY MYSELF. ALL THOSE IN FAVOR? OPPOSED? 1078 IS TABLED. (VOTE: 6-0-0-1)
(ABSENT: GULDI) TABLED

1079. ADOPTING LOCAL LAW NO. --2003, A CHARTER LAW IN CONNECTION WITH SUBPOENA POWER. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, AND FINANCE. (GULDI)

LEG. CRECCA:

1079. THE SPONSOR IS NOTE HERE. I'M GOING TO MAKE A MOTION TO TABLE THAT. IS THERE A SECOND?

LEG. FIELDS:

CAN WE TRY TO PASS IT?

LEG. CRECCA:

WE'LL PASS OVER IT, 1079. I'LL WITHDRAW MY MOTION TO TABLE IT.
1085 HAS ALREADY BEEN ADOPTED, THAT SHOULD BE REMOVED FROM THE AGENDA.

1094. ADOPTING LOCAL LAW NO. -2003, A CHARTER LAW IN CONNECTION
WITH REDUCTION OF NUMBER OF COUNTY LEGISLATURE DISTRICTS TO ELEVEN.
ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, AND FINANCE.
(CARACCIOLO, TONNA)

LEG. CRECCA:

I.R.1094. MR. CARACCIOLO, WHAT IS YOUR PLEASURE?

LEG. CARACCIOLO:

I'LL MOVE TO REQUEST TO SET IT ASIDE UNTIL THE CHAIRMAN GETS BACK.

LEG. CRECCA:

WE'LL PASS ON 1094 ALSO.

1095. ADOPTING LOCAL LAW NO. -2003, A CHARTER LAW IN CONNECTION
WITH REDUCTION OF NUMBER OF COUNTY LEGISLATIVE DISTRICTS. ASSIGNED TO
WAYS & MEANS, REAL ESTATE TRANSACTIONS, AND FINANCE. (ALDEN, HALEY,
TOWLE, BINDER)

LEG. CRECCA:

1095.

LEG. CARACCIOLO:

SAME MOTION.

LEG. CRECCA:

WE'LL PASS OVER THAT ONE ALSO.

2101. DIRECT BUDGET REVIEW TO PREPARE LEASES DATABASE. ASSIGNED TO
WAYS & MEANS, REAL ESTATE TRANSACTIONS, AND FINANCE.

LEG. CRECCA:

2101. THAT'S LEGISLATOR FIELDS. I ASSUME YOU WANT TO TABLE THAT FOR
NOW?

LEG. FIELDS:

I'M GOING TO KEEP IT AROUND UNTIL WE'RE SATISFIED WITH EVERYTHING THAT
WE HAVE, SO I'M WILL MAKE A MOTION TO TABLE.

LEG. HALEY:

SECOND.

LEG. CRECCA:

SECONDED BY LEGISLATOR HALEY. ALL THOSE IN FAVOR? OPPOSED? TABLED.
(VOTE: 6-0-0-1) (ABSENT: GULDI) TABLED

2105. ADOPTING LOCAL LAW NO. -2002, A CHARTER LAW TO EXPAND PRIOR
WRITTEN NOTICE OF DEFECTIVE CONDITION REQUIREMENTS. ASSIGNED TO WAYS &
MEANS, REAL ESTATE TRANSACTIONS, AND FINANCE. (COUNTY EXECUTIVE)

LEG. CRECCA:

2105. THERE'S A MOTION TO TABLE BY LEGISLATOR BISHOP, SECONDED BY
MYSELF. ALL THOSE IN FAVOR? OPPOSED? TABLED.
(VOTE: 6-0-0-1) (ABSENT: GULDI) TABLED

2146. TO ESTABLISH LIMITATION ON CONTRACT AGENCY/ACADEMIC INSTITUTION
INDIRECT COSTS. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS,
AND FINANCE. (ALDEN)

LEG. CRECCA:

2146. I MAKE A MOTION TO TABLE THIS. SECONDED BY?

LEG. CARACCIOLO:
ME.

LEG. CRECCA:

LEGISLATOR CARACCIOLO. ALL THOSE IN FAVOR? OPPOSED? TABLED.
(VOTE: 6-0-0-1) (ABSENT: GULDI) TABLED

2210. APPROPRIATING START-UP FUNDS IN CONNECTION WITH THE
RECONSTRUCTION OF C.R. 80, MONTAUK HIGHWAY, SHIRLEY/MASTIC, TOWN OF
BROOKHAVEN (CP 5516). ASSIGNED TO WAYS & MEANS, REAL ESTATE
TRANSACTIONS, AND FINANCE. (COUNTY EXECUTIVE)

LEG. CRECCA:

2210. IS THERE A MOTION ON THIS?

LEG. BISHOP:

WHY IS IT IN THIS COMMITTEE AND NOT IN PUBLIC WORKS?

LEG. CARACCIOLO:
ARE WE SECONDARY?

LEG. CRECCA:
ARE WE SECONDARY, COUNSEL?

MS. COSTIGAN:

THIS IS THE MONEY FOR THE START-UP FUNDS.

MR. SABATINO:

IT'S LAND ACQUISITION MONEY.

LEG. CARACCIOLO:

WHY WAS IT TABLED?

LEG. CRECCA:
DO WE KNOW WHY IT WAS TABLED?

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MR. SABATINO:
IT WAS TABLED FOR A CORRECTED COPY.

LEG. CRECCA:
DO WE HAVE THAT CORRECTED COPY?

LEG. BISHOP:
IT'S FROM A CAPITAL PROJECT, RIGHT?

MR. SABATINO:
LET ME JUST DOUBLE-CHECK, WE DID A WHOLE BUNCH OF CORRECTED COPIES
YESTERDAY, JUST HOLD ON.

LEG. CRECCA:
WHILE COUNSEL CHECKS THAT, I'M JUST GOING TO PASS OVER IT BRIEFLY WHILE
COUNSEL CHECKS THAT.

2233. ADOPTING LOCAL LAW NO. -2002, A CHARTER LAW TO CHANGE THE
COUNTY TAX STABILIZATION RESERVE FUND POLICY. ASSIGNED TO WAYS &
MEANS, REAL ESTATE TRANSACTIONS, AND FINANCE. (HALEY)

LEG. CRECCA:
2233.

LEG. HALEY:
I'LL TABLE THAT.

LEG. CRECCA:
MOTION TO TABLE BY LEGISLATOR HALEY.

LEG. BISHOP:
IT'S YOUR LAST CHANCE.

LEG. CRECCA:
SECONDED BY LEGISLATOR CRECCA. NO, IT'S NOT, BECAUSE I'M GOING TO
CARRY OUT ALL OF LEGISLATOR HALEY'S GREAT POLICIES.

LEG. HALEY:
THERE'S A LOT OF CHANGES THAT NEED TO BE MADE TO THIS. THERE'S
COMMENTS, MR. CHAIRMAN, I KNOW THAT THE COUNTY EXEC. PEOPLE WOULD LIKE
TO MAKE CHANGES AND I THINK BUDGET REVIEW ALSO WANTS TO MAKE SOME
CHANGES.

LEG. CRECCA:

SO THERE'S A MOTION TO TABLE BY LEGISLATOR HALEY, SECONDED BY MYSELF.
ALL THOSE IN FAVOR? OPPOSED? 2233 IS TABLED.
(VOTE: 6-0-0-1) (ABSENT: GULDI) TABLED

LEG. HALEY:

ARE YOU CO-SPONSORING THAT NOW?

LEG. CRECCA:

YES.

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2252. TO AUTHORIZE AND EMPOWER THE AUDIT OF THE SUFFOLK COUNTY
PHARMACY BENEFITS MANAGER. ASSIGNED TO WAYS & MEANS, REAL ESTATE
TRANSACTIONS, AND FINANCE. (BISHOP)

LEG. CRECCA:

2252. LEGISLATOR BISHOP, IN LIGHT OF THE EMHP HEARINGS, DO YOU WANT TO
CONTINUE TO TABLE THIS FOR NOW?

LEG. BISHOP:

YES.

LEG. HALEY:

SECOND.

LEG. BISHOP:

BUT THAT'S NOT WHY. THANK YOU.

LEG. CRECCA:

MOTION TO TABLE BY LEGISLATOR BISHOP, SECONDED BY LEGISLATOR HALEY.
ALL THOSE IN FAVOR? OPPOSED? 2252 IS TABLED.
(VOTE: 6-0-0-1) (ABSENT: GULDI) TABLED

2312. AUTHORIZING WAIVER OF INTEREST AND PENALTIES FOR PROPERTY TAX
FOR NICK POULOS (SCTM NO. 0200-686.00-04.00-019.000,
019.001; 0200-686.00-04.00-019.002; 0200-686.00-04.00-020.000 AND
0200-723.00-02.00-029.000). ASSIGNED TO WAYS & MEANS, REAL ESTATE
TRANSACTIONS, AND FINANCE. (TOWLE)

LEG. CRECCA:

2312. THIS WAS TABLED LAST TIME.

MR. SABATINO:

IT HAS TO BE TABLED.

LEG. CRECCA:

MOTION TO TABLE BY MYSELF, SECONDED BY LEGISLATOR GULDI. ALL THOSE IN
FAVOR? OPPOSED? TABLED. (VOTE: 7-0-0-0) TABLED

2325. AUTHORIZING THE SALE OF TWO SURPLUS COUNTY CARS TO THE LONG ISLAND GAY AND LESBIAN YOUTH (LIGALY). ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, AND FINANCE. (POSTAL)

LEG. CRECCA:

2325. I BELIEVE WE WERE WAITING FOR INFORMATION ON THIS AS TO WHAT THE CARS WERE GOING TO BE USED FOR, LEGISLATOR BISHOP?

LEG. BISHOP:

I WAS ASSURED BY THE PRESIDING OFFICER'S STAFF THAT THEY ARE TO BE USED TO TRANSPORT CLIENTS OF THE AGENCY, SO I WITHDRAW MY OBJECTION TO IT, BECAUSE APPARENTLY IT IS, IN FACT, TO FURTHER THE GOALS OF THE AGENCY.

LEG. FIELDS:

MOTION TO APPROVE.

LEG. FISHER:

SECOND.

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LEG. CRECCA:

THERE'S A MOTION TO APPROVE BY LEGISLATOR FIELDS, SECONDED BY LEGISLATOR FISHER. AND I APOLOGIZE, I WAS TALKING TO THE CHAIRMAN, WHO JUST RETURNED, WHAT WAS THE REASON, WHAT WERE THESE CARS GOING TO BE USED FOR?

LEG. BISHOP:

TRANSPORT CLIENTS.

LEG. FISHER:

FOR SERVICES.

LEG. CRECCA:

WHAT KIND OF SERVICES?

LEG. FIELDS:

EXACTLY THE WHOLE INTENT.

LEG. CRECCA:

WE THOUGHT THIS WAS A -- LAST TIME THERE WAS A QUESTION THAT THEY RUN A HOTLINE AND THAT THE --

LEG. FIELDS:

THEY PROVIDE SERVICES.

LEG. FISHER:

COUNSELING SERVICES.

LEG. CRECCA:
COUNSELING SERVICES?

LEG. FISHER:
YES.

LEG. CRECCA:
I'M GOING TO TURN IT BACK OVER TO THE CHAIRMAN, BUT THERE'S A MOTION TO APPROVE, SECONDED BY LEGISLATOR FISHER. ALL THOSE IN FAVOR? OPPOSED?

LEG. CARACCILO:
OPPOSED.

LEG. HALEY:
OPPOSED.

LEG. CRECCA:
I HAVE LEGISLATOR HALEY, LEGISLATOR CARACCILO AND MYSELF OPPOSED.
2325 IS --

LEG. BISHOP:
WHY DON'T WE DO THIS, BECAUSE IT SHOULDN'T BE A CONTROVERSIAL MATTER.
WHY DON'T WE DISCHARGE WITHOUT RECOMMENDATION AND ASK THE PRESIDING OFFICER'S STAFF TO OBTAIN A LETTER FROM THE AGENCY DESCRIBING --

LEG. FIELDS:
IT'S NOT CONTROVERSIAL IF YOU HAVE FOUR PEOPLE THAT APPROVE AND THREE THAT DON'T, IT COMES OUT OF COMMITTEE LIKE ANY OTHER BILL.

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LEG. CRECCA:
IT'S FIELDS' AND FISHER'S AND I'VE ALREADY CALLED, I CALLED THE VOTE ALREADY.

LEG. BISHOP:
THE MANEUVER IS TO AVOID IT BECOMING, THESE VOTES BECOMING LOCKED IN THAT WAY, BECAUSE THEY WOULD BE BENEFICIAL ULTIMATELY TO THE PASSAGE OF THE BILL IF THERE'S MORE CONSENSUS ON IT. I THINK THAT CAN BE ACHIEVED IF WE GET A REPRESENTATION FROM THE AGENCY IN WRITING OF WHAT THEY'RE GOING TO USE THE CARS FOR.

LEG. CARACCILO:
SPOKEN LIKE A GOOD MINORITY LEADER.

LEG. BISHOP:
WE CAN GET IT OUT OF HERE.

LEG. CRECCA:

IT'S PASSED OUT OF COMMITTEE 4/3. THERE BEING NO OTHER --

LEG. FISHER:
YOU WANTED TO MAKE A MOTION TO DISCHARGE WITHOUT RECOMMENDATION?

LEG. BISHOP:
MOTION TO RECONSIDER.

LEG. FISHER:
I'LL SECOND THAT MOTION.

CHAIRMAN GULDI:
MOTION TO RECONSIDER BY LEGISLATOR BISHOP, SECOND BY LEGISLATOR FIELDS.
ALL THOSE IN FAVOR? OPPOSED?

LEG. FIELDS:
NO.

LEG. BISHOP:
LEGISLATOR CARACCILO, I DON'T THINK HE HAS A PHILOSOPHICAL OBJECTION,
HE JUST FELLS THAT THE --

LEG. FIELDS:
I'M OPPOSED TO DISCHARGE.

CHAIRMAN GULDI:
OPPOSED TO RECONSIDERING?

LEG. FIELDS:
OPPOSED TO RECONSIDERING.

CHAIRMAN GULDI:
SO IT'S NOW BEFORE US, IT'S RECONSIDERED. I MEAN WE HAD ONE OPPOSED,
IT'S RECONSIDERED 6/1. SO, IT'S NOW BEFORE US AGAIN.

LEG. BISHOP:
NEVER MIND, I WITHDRAW THE MOTION. LEAVE IT 4/3.

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CHAIRMAN GULDI:
ALL RIGHT. DO WHAT YOU WANT, GUYS, JUST PRETEND I'M NOT HERE STILL.

LEG. HALEY:
MR. CHAIRMAN?

CHAIRMAN GULDI:
WE HAD JUST -- DAVE, WE ALREADY RECONSIDERED IT.

LEG. FISHER:

I'LL MAKE ANOTHER MOTION TO APPROVE.

CHAIRMAN GULDI:

MOTION TO APPROVE AND SECOND BY LEGISLATORS FISHER AND FIELDS. ALL THOSE IN FAVOR? OPPOSED? WE'RE BACK TO 4/3.

LEG. CRECCA:

WE'RE BACK TO 4/3.

CHAIRMAN GULDI:

BACK TO 4/3. APPROVED, 4/3.

LEG. CRECCA:

CARACCILOLO, CRECCA AND HALEY OPPOSED.

(VOTE: 4-3-0-0) (OPPOSED: CARACCILOLO, CRECCA, HALEY) APPROVED

LEG. HALEY:

MR. CHAIRMAN, I HAVE ON MY AGENDA A QUESTION FOR I.R. 2337. MY AIDE HAS, I GUESS SHE THINKS IT SHOULD HAVE BEEN ON OUR AGENDA.

CHAIRMAN GULDI:

2337, WHAT IS IT?

LEG. HALEY:

ADOPTING LOCAL LAW TO AUTHORIZE TOBACCO SECURITIZATION PROGRAM FOR FUTURE COUNTY REVENUE SHORTFALLS.

CHAIRMAN GULDI:

COUNSEL, WAS THAT ASSIGNED TO US?

MR. SABATINO:

YES. IT WAS TABLED SUBJECT TO CALL IN COMMITTEE ON JANUARY 22ND.

CHAIRMAN GULDI:

SINCE IT'S TABLED SUBJECT TO CALL, IT IS NOT BEFORE US.

LEG. HALEY:

OKAY. SHE DIDN'T HAVE IT, SO I'M JUST CHECKING.

CHAIRMAN GULDI:

GOING BACK TO THE SKIPPED OVER RESOLUTIONS, WE SKIPPED OVER 1041. THE FIRST PAGE OF THE AGENDA, THIRD ITEM, CHARTER LAW TO ESTABLISH 19TH LEGISLATIVE DISTRICT. LEGISLATOR FISHER?

LEG. FISHER:

OKAY. I JUST WANTED TO MAKE CLEAR TO EVERYONE HERE THAT BECAUSE OF THE

WOULD ASK THAT WE AT THE VERY LEAST DISCHARGE THIS WITHOUT RECOMMENDATION SO THAT WE CAN HAVE IT BEFORE THE FULL LEGISLATURE ON TUESDAY AND BE ABLE TO VOTE ON A TIMELY MANNER.

LEG. HALEY:
WHAT SPECIAL ELECTION?

LEG. FISHER:
THERE WOULD HAVE TO BE -- WELL, NOT JUST YOURS, NOT JUST FOR YOUR SEAT, BUT THERE WOULD HAVE TO BE A SPECIAL ELECTION ON THIS REFERENDUM FOR THIS TO CREATE A NEW DISTRICT. WELL, THAT'S THE DATE THAT'S IN THE RESOLUTION FOR THIS PARTICULAR MATTER. AND IN ORDER TO MEET THE TIME LIMITATIONS, WE WOULD HAVE TO HAVE IT, WE WOULD HAVE TO VOTE ON IT ON MARCH 11TH. SO MY REQUEST IS TO DISCHARGE --

CHAIRMAN GULDI:
IS THAT A MOTION TO DISCHARGE WITHOUT RECOMMENDATION? IS THAT A MOTION?

LEG. FISHER:
WELL, IT'S DISCUSSION.

CHAIRMAN GULDI:
OKAY. IT'S NOT A MOTION YET. BUT, YOU KNOW, MY -- I'M TROUBLED BY THE -- PERSONALLY, I'M TROUBLED BY THIS RESOLUTION AND THE LEGISLATOR CARACCILO'S RESOLUTION TO RECONSTITUTE THE LEGISLATURE. I THINK WHAT OUR OBLIGATION TO DO RIGHT NOW IS TO DRAW A MAP AND REAPPORTION THE LEGISLATURE ALONG ITS EXISTING LINES.

I THINK THAT IF WE WANT TO HAVE A DISCUSSION AS TO RESHAPING THE LEGISLATURE AND ITS MEMBERSHIP, ITS NUMBER OF MEMBERS, WE SHOULD HAVE THAT DISCUSSION INDEPENDENTLY FROM AND NOT AS CONSEQUENCE OF THE NEED TO DRAW A MAP.

YOU KNOW, LEGISLATOR FISHER'S RESOLUTION, THE CONCEPT OF A 19TH LEGISLATOR HAS BEEN AROUND, AND BY THAT I MEAN OTHER THAN LEGISLATOR SABATINO, FOR A LONG TIME. LEGISLATOR CARACCILO'S RESOLUTION TO CHANGE US TO ELEVEN MEMBERS, YOU KNOW, THE, WE'VE BEEN EIGHTEEN -- HOW MANY YEARS HAVE YOU BEEN HERE, MIKE?

LEG. CARACCILO:
ELEVEN.

CHAIRMAN GULDI:
ELEVEN YEARS. IN THE ELEVEN YEARS YOU'VE BEEN HERE, WE'VE BEEN EIGHTEEN FOR ALL ELEVEN OF THOSE YEARS.

LEG. CARACCILO:
I'M TRYING TO STRIKE SOME MIDDLE GROUND.

CHAIRMAN GULDI:
SOME MIDDLE GROUND. GO BACK TO ABOLITION, I THINK.

LEG. FISHER:
A BOARD OF SUPERVISORS.

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CHAIRMAN GULDI:
MARTY HARTY'S GOT HIS OWN PROGRAM FOR ABOLITION OF THE LEGISLATURE.

LEG. CARACCILOLO:
I CAME WITHIN ONE VOTE, SO DON'T KNOCK IT.

CHAIRMAN GULDI:
FRANKLY, AS A RESULT, I DON'T THINK I COULD SUPPORT EITHER OF THESE
RESOLUTIONS, AS A PERSONAL MANNER. I THINK WHAT WE --

LEG. FISHER:
I'LL MAKE A MOTION TO TABLE.

LEG. HALEY:
SECOND.

CHAIRMAN GULDI:
MOTION TO TABLE BY LEGISLATOR FISHER, SECOND BY LEGISLATOR HALEY.
FURTHER DISCUSSION ON TABLING? ALL THOSE IN FAVOR? OPPOSED? 1041 IS
TABLED. (VOTE: 7-0-0-0) TABLED

CHAIRMAN GULDI:
1079 WAS THE NEXT SKIPPED OVER RESOLUTION, SECOND RESOLUTION ON THE
SECOND PAGE OF THE AGENDA. STAFF, PLEASE NUMBER THE AGENDA PAGES IN
THE FUTURE.

LEG. CRECCA:
THEY ARE.

LEG. FISHER:
YOU HAVE TO BE A LITTLE YOUNGER TO READ THE NUMBERS.

CHAIRMAN GULDI:
PLEASE NUMBER THEM LARGER OR ELSE GET ME STRONGER GLASSES. CHARTER LAW
IN CONNECTION WITH SUBPOENA POWER. THIS RESOLUTION I THINK I'D LIKE TO
MOVE THE APPROVAL OF.

LEG. CARACCILOLO:
SECOND.

CHAIRMAN GULDI:
SECOND BY LEGISLATOR CARACCILOLO. I THINK THAT --

LEG. FIELDS:
JUST GO.

CHAIRMAN GULDI:
ON THE MOTION, LEGISLATOR CRECCA.

LEG. CRECCA:
THIS WOULD GIVE DIRECT AUTHORITY TO THE COMMITTEES, IF I'M CORRECT --

CHAIRMAN GULDI:
ACTUALLY THIS GIVES A DIRECT AUTHORITY ONLY TO STANDING COMMITTEES, NOT SPECIAL COMMITTEES OR AD HOC COMMITTEES, AND ONLY UPON A MAJORITY VOTE OF THE MEMBERSHIP OF THE COMMITTEES. I THINK, YOU AND I DISCUSSED THIS

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OFF THE RECORD, AND I THINK THAT THE CPLR PROVIDES AMPLE PROTECTION AGAINST POTENTIAL ABUSE OF SUBPOENA POWER IN THE EVENT THAT YOU HAD A COMMITTEE RUNNING AWAY AND ISSUING SUBPOENAS, IF YOU WILL, WILLY-NILLY, WHICH IS VERY HARD TO SAY WHILE HALF OF YOUR MOUTH IS ANESTHETIZED, BUT THE --

LEG. BISHOP:
NOT TO MENTION YOUR BRAIN.

CHAIRMAN GULDI:
WELL, YOU KNOW --

LEG. CRECCA:
THAT HAS NOTHING TO DO WITH THE ROOT CANAL.

CHAIRMAN GULDI:
SOME OF US ONLY NEED -- NEVER MIND.

LEG. CRECCA:
MY POINT, GEORGE, AND WE'VE HAD THIS, LIKE YOU SAID, WE'VE HAD THIS DISCUSSION, I THINK IT'S A DANGEROUS -- IT'S A SLIPPERY SLOPE TO GO DOWN TO GIVE INDEPENDENT -- TO GIVE THE STANDING COMMITTEES THE DIRECT ABILITY TO ISSUE SUBPOENAS. I THINK THAT IT'S, YOU KNOW, ONE OF GEORGE'S CRITICISMS, AND RIGHTFULLY SO, IS THAT IT SHOULDN'T TAKE A GREAT LENGTH OF TIME FOR A SUBPOENA TO ISSUE, BUT THE FACT OF THE MATTER IS, IT DOESN'T GO THROUGH THE REGULAR -- IT DOESN'T NEED TO GO THROUGH THE REGULAR COMMITTEE PROCESS IN THE SENSE THAT IT CAN BE DONE BY PROCEDURAL MOTION RIGHT BEFORE THE FULL LEGISLATURE. SO YOU'RE ONLY TALKING ABOUT THE MAXIMUM TIME WOULD BE ONE CYCLE, WHICH IT WOULD BE WITH A COMMITTEE ANYWAY.

I JUST THINK THAT IN ORDER FOR US TO ISSUE THE SUBPOENA POWER, IT'S DONE RARELY AND IT'S DONE WITH GREAT RESERVATION, I BELIEVE, AT LEAST

THAT'S BEEN THE HISTORY OF THIS LEGISLATURE FROM MY DISCUSSIONS WITH OTHER LEGISLATORS AND EVEN DISCUSSING IT WITH PAUL SABATINO, WHO PROBABLY HAS THE GREATEST SENSE OF HISTORY. I THINK THAT IT IS A SAFER COURSE TO HAVE IT GO BEFORE THE FULL LEGISLATURE.

IN ADDITION, I ALSO THINK IT WEAKENS THE SUBPOENA POWER ITSELF, BECAUSE WHAT HAPPENS IS A COMMITTEE ISSUES THE SUBPOENA. AND I UNDERSTAND THAT, BUT THERE'S SOMETHING BEHIND THE FACT THAT THE FULL LEGISLATURE IS ISSUING A SUBPOENA, IT'S THE WHOLE BODY SPEAKING THAT THIS IS AN IMPORTANT ENOUGH MATTER THAT WE'RE GOING TO USE A POWER THAT WE HAVE TO BRING SOMEBODY BEFORE US FORCIBLY AS OPPOSED TO VOLUNTARILY TO TESTIFY AND GIVE TESTIMONY. IT'S -- I COMMEND THE INTENT OF LEGISLATOR GULDI IN DOING THIS, BUT I DON'T THINK THEY WANT TO DO THAT.

AND THE OTHER POINT I'LL MAKE, ONE LAST POINT ON IT IS I UNDERSTAND WHY THERE IS A DESIRE TO HAVE IT DONE AT THE COMMITTEE LEVEL, BUT UNDERSTAND THAT A COMMITTEE CAN BE A VERY POLITICAL BODY IN AND OF ITSELF, SO YOU KNOW, DEPENDING ON WHO THE PRESIDING OFFICER IS, HOW THAT COMMITTEE IS STRUCTURED AND HOW IT IS, AND THAT'S NOT THE CASE THIS YEAR AND I'M NOT GOING TO SAY IT THIS YEAR, BUT WHO KNOWS WHAT TOMORROW WILL BRING. AND WHAT WE DO TODAY, ESPECIALLY A CHARTER LAW CHANGE, WILL BE WITH US FOREVER. SO I REALLY AM OPPOSED TO THIS BILL. I CERTAINLY WOULD LOOK INTO OTHER WAYS TO EXPEDITE THE PROCESS, BUT I

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THINK THE VOTE SHOULD GO BEFORE THE FULL LEGISLATURE.

LEG. FISHER:

I JUST WANTED TO ASK HIM A QUESTION ABOUT WHAT HE SAID, I'M SORRY.

CHAIRMAN GULDI:

GO AHEAD.

LEG. FISHER:

SO, ANDREW, YOU'RE SAYING THAT THE TWO STEP PROCESS THAT WE JUST WENT THROUGH FOR OUR SUBPOENA HAS ITS OWN BUILT-IN SAFEGUARDS AND HAVING THE SUPPORT OF THE FULL LEGISLATURE FOR HAVING TO HAVE, HAVING TO PASS THE RESOLUTION GIVING US SUBPOENA POWER --

LEG. CRECCA:

I DON'T THINK IT HAS TO GO THROUGH COMMITTEE RIGHT NOW, THOUGH, I THINK IT CAN GO DIRECTLY TO THE FULL LEGISLATURE.

CHAIRMAN GULDI:

COUNSEL, COULD YOU CLARIFY ON WHETHER OR NOT UNDER THE CURRENT STATUS OF THE CHARTER THE BILL NEEDS TO GO THROUGH COMMITTEE OR IS IT CORRECT AND ACCURATE TO STATE THAT A PROCEDURAL MOTION CAN BE BROUGHT ON IMMEDIATELY TO THE LEGISLATURE TO ISSUE SUBPOENAS, AND SECONDLY, COULD YOU ADDRESS HISTORICALLY WHAT THE TIMING HAS BEEN IN THOSE CASES WHERE

THE LEGISLATURE HAS ISSUED SUBPOENAS IN THE PAST?

MR. SABATINO:

THE CURRENT COUNTY CHARTER VESTS THE POWER TO ISSUE SUBPOENAS IN THE FULL COUNTY LEGISLATURE, SO THAT FROM A STRICTLY LEGAL STANDPOINT, THE FULL LEGISLATURE CAN AUTHORIZE THE ISSUANCE OF SUBPOENAS ON A CASE BY CASE BASIS. WHAT'S HAPPENED OVER THE YEARS HISTORICALLY, HOWEVER, BECAUSE IT'S A LITTLE BIT CUMBERSOME FOR THE FULL LEGISLATURE TO AUTHORIZE THE ISSUANCE OF THOSE SUBPOENAS, WHAT'S BECOME A TWO-STEP PROCESS, WHICH IS THAT THE FULL LEGISLATURE HAS DELEGATED, IT'S NO MORE THAN EIGHT OR NINE INSTANCES OVER THE PAST TWENTY-FIVE YEARS, I'M SORRY, OVER THE PAST TWENTY-THREE YEARS, IT'S BEEN NO MORE THAN EIGHT OR NINE TIMES THAT THE AUTHORITY HAS BEEN DELEGATED TO A COMMITTEE, AND THEN THE COMMITTEE EXERCISE THAT'S SUBPOENA POWER BY A MAJORITY VOTE OF THE ACTUAL COMMITTEE AUTHORIZING THE ISSUANCE OF INDIVIDUAL SUBPOENAS.

WITH REGARD TO THOSE INSTANCES IN WHICH THE POWER HAS BEEN GRANTED IN THE PAST, IT'S ALWAYS TAKEN SEVERAL MONTHS TO COMPLETE, AT A MINIMUM SEVERAL MONTHS, TO COMPLETE THE BEGINNING TO END PROCESS WHEN YOU DELEGATE THE AUTHORITY, SIMPLY BECAUSE THAT'S WHAT'S BUILT INTO THE SYSTEM OF PASSING THOSE RESOLUTIONS.

LEG. CRECCA:

BUT IT COULD GO RIGHT TO THE FULL LEGISLATURE BY --

MR. SABATINO:

ABSOLUTELY. MY OPENING STATEMENT WAS THE FULL LEGISLATURE HAS THE AUTHORITY, IT JUST HAS NOT BEEN EXERCISED THAT WAY I THINK BASICALLY BECAUSE IT'S BEEN USED --

LEG. CRECCA:

IN THIS LAST CASE WITH THE EMHP, IT WAS DELAYED BECAUSE, THERE'S NO

QUESTION ABOUT IT, I SAID THIS LAST TIME, WAS BECAUSE OF THE PRESIDING OFFICER, BUT JUST TO MAKE IT QUICK, THE REALITY OF IT IS THAT I DID BRING -- I DON'T THINK I WENT THROUGH COMMITTEE, I THINK WE WENT RIGHT TO THE FULL LEGISLATOR WITH THE PROCEDURAL MOTIONS.

AND THE POINT IS THAT THAT CAN BE DONE, THAT EXPEDITES THE PROCESS, YOU KNOW, AND IT GIVES THE FULL WEIGHT AND AUTHORITY TO THE ENTIRE BODY AND I THINK THAT'S WHY I'M OPPOSING IT.

LEG. FISHER:

THAT WAS MY QUESTION. BUT I RECALLED WHEN WE SUBPOENAED THE PEOPLE FOR OUR LAST MEETING, WE HAD ALREADY HAD THE AUTHORITY FROM THE FULL LEGISLATURE?

CHAIRMAN GULDI:

WELL, ACTUALLY IN THE LAST INSTANCE IT WAS ACTUALLY A THREE STEP PROCESS, BECAUSE WE INTRODUCED THE BILL, WE RAN IT THROUGH COMMITTEE, WE TOOK IT TO THE LEGISLATURE, WE CAME BACK TO COMMITTEE AND THEN WE ISSUED SUBPOENAS. AND MY POINT IS PRECISELY, ESPECIALLY GIVEN A ONE YEAR CYCLE FOR COMMITTEE LIFE, THAT THAT'S NO WAY TO CONDUCT ANY KIND OF INVESTIGATION.

HISTORICALLY, THAT'S THE WAY IT'S BEEN DONE. I THINK HISTORICALLY IT'S A MISTAKE. WHAT I THINK, YOU KNOW, THE TIMING ISSUE AND HAMSTRINGING IN THE LEGISLATURE IS THE MAIN MOTIVATION FOR BRINGING THIS ON.

WITH RESPECT TO LEGISLATOR CRECCA'S CRITICISMS THAT IT WEAKENS THE SUBPOENA POWER, I DON'T THINK IT DOES AT ALL. AND THE ONLY DANGER THAT IT RUNS, THE ONLY REAL DANGER THAT IT RUNS IS THAT A MAJORITY OF A COMMITTEE COULD ISSUE TOO MANY SUBPOENAS AND OBTAIN TOO MUCH TESTIMONY AND TOO MUCH INFORMATION, SOMETHING THAT I CONSIDER TO BE AN IMPOSSIBILITY AND A RISK, THEREFORE, THAT WE CAN TAKE.

WHAT I DO KNOW IS THAT THREE MONTHS OR FOUR MONTHS IS NOT A SUFFICIENT PROCEDURE FOR ISSUING SUBPOENAS AND THAT WE NEED TO CHANGE THAT PROCEDURE. I THINK THAT A MAJORITY VOTE OF STANDING COMMITTEES IS SUFFICIENT SAFEGUARDS. AND THAT I THINK THAT THE CONCERNS ABOUT POLITICIZING AN INVESTIGATION AND KEEPING IT SEPARATE FROM A -- FROM SPECIAL COMMITTEES, WHICH MIGHT BECOME POLITICAL IN THE FUTURE, IS SUFFICIENT SAFEGUARDS TO ADDRESS LEGISLATOR CRECCA'S CONCERNS. DO I HAVE A SECOND ON THIS?

LEG. CARACCILO:

I DID, I SECONDED IT, GEORGE. BUT LET ME JUST ADD TO THE COMMENTS VOICED, BASED ON MY EXPERIENCE AROUND THIS HORSESHOE OVER THE LAST ELEVEN YEARS, THERE HAS NEVER BEEN THE POLITICAL WILL WHEN PUSH CAME TO SHOVE TO ISSUE SUBPOENAS. HOPEFULLY THAT WILL CHANGE WITH THE ADOPTION OF THIS RESOLUTION, BECAUSE IT WILL VEST THAT AUTHORITY IN AN INDIVIDUAL IN A COMMITTEE RATHER THAN THE COMMITTEE OF THE WHOLE AND MAYBE SOME OF THE MORE SERIOUS WORK AND INVESTIGATION THAT SHOULD TAKE PLACE WILL NOW BEGIN TO TAKE PLACE.

CHAIRMAN GULDI:

FURTHER, I THINK THAT EXPEDITING THE MANNER IN WHICH SUBPOENAS ARE ISSUED WILL OBTAIN THE NECESSITY MORE OFTEN THAN NOT. THE FACT THAT IT TAKES THREE MONTHS TO ISSUE A SUBPOENA MAKES A REQUEST FOR VOLUNTARY

ATTENDANCE LESS PRESSING THAN IT WOULD IF THE COMMITTEE HAD THE ABILITY TO IMMEDIATELY ISSUE THE SUBPOENAS UPON A DENIAL OF SUCH A REQUEST.

ANY FURTHER COMMENT ON THIS? ON THE MOTION, ALL THOSE IN FAVOR? OPPOSED?

LEG. CRECCA:
OPPOSED.

LEG. HALEY:
OPPOSED.

CHAIRMAN GULDI:
OKAY. THAT'S CARRIED 5/2. (VOTE: 5-2-0-0) (OPPOSED: CRECCA, HALEY)
APPROVED

CHAIRMAN GULDI:
1094.

LEG. CARACCIOLO:
MR. CHAIRMAN.

CHAIRMAN GULDI:
LEGISLATOR CARACCIOLO, YOUR BILL.

LEG. CARACCIOLO:
IN THE SPIRIT OF CONSISTENCY AND COOPERATION AND BASED ON COMMENTS
MADE BY THE CHAIRMAN EARLIER, MY SENSE IS YOU WOULD NOT SUPPORT THIS
RESOLUTION?

CHAIRMAN GULDI:
FOR THE REASONS ARTICULATED I THINK THAT WE SHOULD NOT HAVE --

LEG. CARACCIOLO:
THEREFORE, WE WOULD NOT HAVE THE MAJORITY OF THIS COMMITTEE MY SENSE IS
TO CARRY THE DAY, AND THAT SAID, SINCE THIS TOO WOULD REQUIRE
CONSIDERATION AT A SPECIAL ELECTION THAT WOULD COST TAXPAYERS AN
ADDITIONAL ONE MILLION DOLLARS, I WILL MAKE A MOTION TO TABLE.

LEG. CRECCA:
SECOND.

CHAIRMAN GULDI:
MOTION TO TABLE AND SECOND. DISCUSSION? ALL THOSE IN FAVOR? OPPOSED?
1094 IS TABLED. (VOTE: 7-0-0-0) TABLED

1095. ADOPTING LOCAL LAW NO -2003, A CHARTER LAW IN CONNECTION
WITH REDUCTION OF NUMBER OF COUNTY LEGISLATIVE DISTRICTS. ASSIGNED TO
WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (ALDEN, HALEY, TOWLE,
BINDER)

CHAIRMAN GULDI:
1095. THIS IS THE ALDEN, HALEY, TOWLE, BINDER, WHICH THIS IS, WHAT IS
THIS, THE SEVENTEEN?

LEG. HALEY:
SEVENTEEN, YES.

CHAIRMAN GULDI:
IS THE PUBLIC HEARING ON THIS ONE OPEN, COUNSEL?

MR. SABATINO:
THE PUBLIC HEARING WAS CLOSED, MR. CHAIRMAN?

CHAIRMAN GULDI:
I'LL STILL MAKE A MOTION TO TABLE THIS ONE OR I'LL ACTUALLY --

LEG. CARACCIOLO:
SECOND.

CHAIRMAN GULDI:
LEGISLATOR HALEY, IT'S YOUR BILL.

LEG. HALEY:
I'LL GO ALONG.

CHAIRMAN GULDI:
MOTION TO TABLE BY MYSELF, SECOND BY LEGISLATOR HALEY. DISCUSSION?
ALL THOSE IN FAVOR? OPPOSED? 1095 IS TABLED. (VOTE: 7-0-0-0) TABLED

CHAIRMAN GULDI:
2210. WAS THAT SKIPPED OVER?

MR. SABATINO:
THERE IS NO CORRECTED COPY, SO IT HAS TO BE TABLED.

LEG. CRECCA:
I'M WAITING FOR WORD FROM COUNSEL, SO I NEED TO TABLE IT.

CHAIRMAN GULDI:
MOTION TO TABLE BY MYSELF, SECOND BY LEGISLATOR FIELDS. ALL THOSE IN
FAVOR? OPPOSED? 2210 IS TABLED. (VOTE: 7-0-0-0) TABLED

INTRODUCTORY RESOLUTIONS

1119. ESTABLISHING COST EFFECTIVE "SMART GROWTH" LAND USE PLAN FOR
KINGS PARK PSYCHIATRIC CENTER (KPPC. ASSIGNED TO WAYS & MEANS, REAL
ESTATE TRANSACTIONS, FINANCE. (NOWICK)

CHAIRMAN GULDI:
GOING TO REAL ESTATE. MS. COSTIGAN, THANK YOU. 1119. ESTABLISHING
COST EFFECTIVE "SMART GROWTH" LAND USE FOR KINGS PARK PSYCHIATRIC

CENTER.

LEG. CRECCA:
THERE'S A REQUEST FROM THE SPONSOR TO TABLE THIS ONE.

CHAIRMAN GULDI:
MOTION TO TABLE BY LEGISLATOR CRECCA, SECOND BY LEGISLATOR FIELDS.

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LEG. FISHER:
LEGISLATOR FISHER.

CHAIRMAN GULDI:
FISHER, I HEARD A VOICE. ALL THOSE IN FAVOR? OPPOSED? TABLED.
(VOTE: 7-0-0-0) TABLED

1121. AUTHORIZING THE DIRECTOR OF THE DIVISION OF REAL ESTATE,
DEPARTMENT OF PLANNING TO ISSUE A CERTIFICATE OF ABANDONMENT OF THE
INTEREST OF THE COUNTY OF SUFFOLK IN PROPERTY DESIGNATED AS TOWN OF
ISLIP, SUFFOLK COUNTY TAX MAP NO. (0500-187.00-01.00-013.004) PURSUANT
TO SECTION 40-D OF THE SUFFOLK COUNTY TAX ACT. ASSIGNED TO WAYS &
MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (COUNTY EXECUTIVE)

CHAIRMAN GULDI:
1121. AUTHORIZING DIRECTOR OF DIVISION OF REAL ESTATE TO ISSUE
CERTIFICATE OF ABANDONMENT FOR TAX IN THE TOWN OF ISLIP.

LEG. BISHOP:
WHAT HAPPENED TO 1119?

CHAIRMAN GULDI:
IT WAS TABLED.

LEG. BISHOP:
FOR WHAT?

LEG. CRECCA:
BECAUSE PUBLIC WORKS HAS ASKED --

CHAIRMAN GULDI:
AT THE REQUEST OF THE SPONSOR.

LEG. CRECCA:
THEY'RE GOING TO MOVE FORWARD WITH IT. PUBLIC WORKS HAS ASKED FOR A
LITTLE TIME TO REWORK THE NUMBERS AND DOUBLE CHECK ON THINGS. BUDGET
REVIEW HAS ALREADY INDICATED THAT THEY THINK THE NUMBERS ARE SOLID. AT
THE PUBLIC WORK'S REQUEST, THE SPONSOR HAS AGREED TO TABLE IT ONE
CYCLE.

LEG. BISHOP:
THANK YOU.

CHAIRMAN GULDI:
CERTIFICATE OF ABANDONMENT, MS. COSTIGAN, THIS IS -- STATUS ON THIS?

MS. COSTIGAN:
THIS ABANDONMENT IS DUE TO IMPROPER NOTICE OR NO NOTICE HAVING BEEN
GIVEN TO THE FORMER OWNER.

CHAIRMAN GULDI:
OKAY. MOTION BY LEGISLATOR -- DID I HEAR SOMEBODY SAY MOTION?

LEG. FIELDS:
MOTION.

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CHAIRMAN GULDI:
MOTION BY LEGISLATOR FIELDS. SECOND? MOTION TO APPROVE? DO I HAVE A
SECOND?

LEG. BISHOP:
SECOND.

CHAIRMAN GULDI:
SECOND BY LEGISLATOR BISHOP. DISCUSSION ON 1121?

LEG. CARACCIOLO:
WHERE IS THE PROPERTY?

CHAIRMAN GULDI:
1121. AND IT'S IN ISLIP.

LEG. FIELDS:
CENTRAL ISLIP.

CHAIRMAN GULDI:
THERE'S NO NOTICE, IT'S NOT AN ISSUE, IT'S A MATTER OF RIGHT
REDEMPTION. ALL THOSE IN FAVOR? OPPOSED? APPROVED. SHOULD WE PLACE
THAT ON THE CONSENT CALENDAR?

LEG. CRECCA:
YES.

CHAIRMAN GULDI:
AMEND THE MOTION TO APPROVE AND PLACE ON THE CONSENT CALENDAR.

LEG. CRECCA:
YES.

CHAIRMAN GULDI:

SECOND. IT'S ON THE CONSENT CALENDAR. (VOTE: 7-0-0-0) APPROVED
CONSENT CALENDAR

1122. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
RICHARD NIETO (0400-014.00-6.00-004.001.) ASSIGNED TO WAYS & MEANS,
REAL ESTATE TRANSACTIONS, FINANCE. (COUNTY EXECUTIVE)

CHAIRMAN GULDI:

1122. LOCAL LAW 16 TO RICHARD NIETO.

LEG. FISHER:

WHAT SECTION?

CHAIRMAN GULDI:

SECTION 46 OF THE SUFFOLK COUNTY TAX ACT. THAT'S A REDEMPTION, THIS IS
OF RIGHT?

LEG. CRECCA:

IT'S A REDEMPTION OF THE RIGHT?

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MS. COSTIGAN:

THIS IS A REDEMPTION BY THE MORTGAGEE OF RIGHT.

CHAIRMAN GULDI:

OR RIGHT. MOTION TO APPROVE AND PLACE ON THE CONSENT CALENDAR BY
MYSELF.

LEG. CRECCA:

SECOND.

CHAIRMAN GULDI:

SECONDED BY LEGISLATOR CRECCA. DISCUSSION? ALL THOSE IN FAVOR?
OPPOSED? APPROVED AND PLACED ON THE CONSENT CALENDAR.
(VOTE: 7-0-0-0) APPROVED CONSENT CALENDAR

1123. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OR REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
LEOPOLDO A. KARL (0500-135.00-04.00-044.000.) ASSIGNED TO WAYS & MEANS,
REAL ESTATE TRANSACTIONS, FINANCE. (COUNTY EXECUTIVE)

CHAIRMAN GULDI:

1123. LOCAL LAW 16 TO LEOPOLDO A. KARL. THIS IS BROOKHAVEN. SAME
MOTION, SAME SECOND.

LEG. CRECCA:

IS THIS A MATTER OF RIGHT ALSO?

MS. COSTIGAN:
YES. NORMAL 46 REDEMPTION.

CHAIRMAN GULDI:
SAME STATUS. ALL THOSE IN FAVOR? OPPOSED? APPROVED AND PLACED ON THE
CONSENT CALENDAR. (VOTE: 7-0-0-0) APPROVED CONSENT CALENDAR

1124. SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
MICHAEL TATEM (0100-189.00-02.00-002.000). ASSIGNED TO WAYS & MEANS,
REAL ESTATE TRANSACTIONS, FINANCE. (COUNTY EXECUTIVE)

CHAIRMAN GULDI:
1124. LOCAL LAW 13 TO MICHAEL TATEM. 0100 IS AMITYVILLE.

LEG. BISHOP:
NO, IT'S BABYLON.

MS. COSTIGAN:
THIS IS A TWENTY-NINE FOOT BY A HUNDRED AND TWENTY FOOT PARCEL
APPRAISED AT FOUR THOUSAND DOLLARS. THE WINNING BID OF THE FIVE
BIDDERS WAS FIFTEEN THOUSAND TWENTY DOLLARS.

CHAIRMAN GULDI:
GOOD JOB, THREE TIMES THE APPRAISAL.

LEG. CRECCA:
IT'S AN ADJOINING LAND OWNER, I ASSUME, CORRECT?

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MS. COSTIGAN:
THAT'S CORRECT.

CHAIRMAN GULDI:
IT HAS TO BE.

LEG. C. CRECCA:
MAKE A MOTION TO APPROVE AND PLACE ON THE CONSENT CALENDAR.

CHAIRMAN GULDI:
I'M LOOKING AT THE BACK-UP ON THAT, DID WE GET ONLY ONE BID AT THAT
LEVEL, IS THAT WHAT HAPPENED?

MS. COSTIGAN:
YES. HE WANTED TO MAKE SURE HE GOT IT.

CHAIRMAN GULDI:
HE CERTAINLY GOT IT, HE OUT BID HIMSELF. MOTION TO APPROVE AND PLACE ON

THE CONSENT CALENDAR BY LEGISLATOR CRECCA, SECOND BY MYSELF. ALL THOSE IN FAVOR? OPPOSED? APPROVED AND PLACED ON THE CONSENT CALENDAR.
(VOTE: 7-0-0-0) APPROVED CONSENT CALENDAR

1134. AUTHORIZING THE EXTENSION OF A LEASE OF PREMISES LOCATED AT 1140 MOTOR PARKWAY, HAUPPAUGE, NY FOR THE DEPARTMENT OF SOCIAL SERVICES. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (COUNTY EXECUTIVE)

CHAIRMAN GULDI:

1134. AUTHORIZING EXTENSION OF LEASE OF PREMISES AT 1140 MOTOR PARKWAY, HAUPPAUGE, FOR THE DEPARTMENT OF SOCIAL SERVICES.

MR. FAULK:

MR. CHAIRMAN, I'D LIKE TO REQUEST A TABLE AT THIS TIME.

CHAIRMAN GULDI:

BECAUSE?

MR. FAULK:

THERE ARE SOME QUESTIONS STILL, I THINK.

LEG. BISHOP:

GOOD ENOUGH.

LEG. CRECCA:

THAT WAS A GOOD ANSWER, NICE AND SUCCINCT. THAT'S GOOD ENOUGH FOR ME, I'LL MAKE A MOTION TO TABLE.

CHAIRMAN GULDI:

MOTION TO TABLE BY LEGISLATOR CRECCA, SECOND BY LEGISLATOR CARACCILOLO. ALL THOSE IN FAVOR? OPPOSED? WHAT QUESTIONS? YOU CAN TELL ME LATER.
(VOTE: 7-0-0-0) TABLED

1099. AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 1213-2002. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (ALDEN)

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CHAIRMAN GULDI:

NEXT RESOLUTION, 1099. TECHNICAL CORRECTION, AND THIS IS A CHANGE OF A TAX MAP NUMBER, ESSENTIALLY CHANGING A LOT FROM 094.00 TO 094.001. MOTION TO APPROVE AND PLACE ON THE CONSENT CALENDAR.

LEG. FISHER:

SECOND.

CHAIRMAN GULDI:

SECOND BY LEGISLATOR FISHER. ALL THOSE IN FAVOR? OPPOSED? APPROVED AND

PLACED ON THE CONSENT CALENDAR.
(VOTE: 7-0-0-0) APPROVED CONSENT CALENDAR

11001100. AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION
NO.

1256-2002. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE.
(COUNTY EXECUTIVE)

CHAIRMAN GULDI:
1100. TECHNICAL CORRECTION TO ADOPTED RESOLUTION, THIS CHANGES A TITLE
FROM 75.30 TO.21 AND 330.

LEG. FISHER:
MOTION.

CHAIRMAN GULDI:
MOTION. WHAT'S THE REASON FOR THAT CHANGE?

MR. SABATINO:
IT'S A CAPITAL PROJECT NUMBER, TIMBER POINT, IT WAS JUST -- APPEARS TO BE
A TYPOGRAPHICAL.

CHAIRMAN GULDI:
THEY NEED BOTH NUMBERS AND NOT ONE. MOTION TO APPROVE AND PLACE ON THE
CONSENT CALENDAR BY LEGISLATOR FISHER, SECOND BY MYSELF. ALL THOSE IN
FAVOR? OPPOSED? 1100 IS ON THE CONSENT CALENDAR.
(VOTE: 7-0-0-0) APPROVED CONSENT CALENDAR

1101. AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION
NO. 1234-2002. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS,
FINANCE. (COUNTY EXECUTIVE)

CHAIRMAN GULDI:
1101. TECHNICAL CORRECTION CHANGING CAPITAL PROJECT NUMBER. SAME
MOTION, SAME SECOND, SAME VOTE.
(VOTE: 7-0-0-0) APPROVED CONSENT CALENDAR

1102. 2. AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION
NO.

1155-2002. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE.
(COUNTY EXECUTIVE)

CHAIRMAN GULDI:
1102 IS AGAIN A CAPITAL PROJECT NUMBER CHANGE FROM 72 TO 27, THERE IS A
CLASSIC DYSLEXIA PROBLEM. SAME MOTION, SAME SECOND, SAME VOTE. THAT'S
ON THE CONSENT CALENDAR. (VOTE: 7-0-0-0) APPROVED CONSENT CALENDAR

1109. AMENDING RESOLUTION NO. 1081-2002 AND RESOLUTION NO. 1082-2002 FOR THE TOWN PORTION OF THE 2002-2003 TAX LEVY FOR THE TOWN OF SOUTHD. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (PRESIDING OFFICER)

CHAIRMAN GULDI:
1109.

LEG. CARACCILO:
EXPLANATION.

CHAIRMAN GULDI:
LEGISLATOR CARACCILO WANTS AN EXPLANATION.

MR. SABATINO:
WELL, BASICALLY THE TOWN OF SOUTHD REPORTED THE TAX LEVY STAR REIMBURSEMENT EXCLUSION INACCURATELY TO THE COUNTY WHEN THE TAX LEVY WAS ADOPTED, IT WAS 3.9 MILLION DOLLAR MISCOMMUNICATION AND THIS HAS TO CORRECT IT.

LEG. CARACCILO:
WHAT IS THE -- BUDGET REVIEW?

CHAIRMAN GULDI:
YEAH, I'M LOOKING AT THE --

LEG. CARACCILO:
IT SAYS TOWN TAX LEVY, SO I WANT TO MAKE SURE, DOES IT HAVE ANY IMPLICATION ON THE COUNTY TAX PROPERTY TAXES?

MR. SPERO:
NOT THE COUNTY PROPERTY TAXES, NO.

LEG. CARACCILO:
JUST THE TOWN AND THE SCHOOL DISTRICTS. OKAY.

CHAIRMAN GULDI:
I'M LOOKING AT THE LEVY, THOUGH, THE DETAIL ON THIS, I DON'T SEE THE 3.9 MILLION DOLLAR FIGURE ANYWHERE. WHAT CALCULATION WAS IT LEFT OUT OF? IT'S DECREASING IT BY 3.9 MILLION TO EXCLUDE STAR REIMBURSEMENT. SO WHAT, THE ORIGINAL LEVY INCLUDED THE 3.9 MILLION AND THIS, THEREFORE, LOWERS THE TOWN TAX LEVY, IS THAT THE EFFECT OF THIS, COUNSEL?

MR. SABATINO:
THAT WILL ACTUALLY HAVE THE EFFECT OF RAISING IT, BECAUSE I BELIEVE THEY DOUBLE COUNTED BY INCLUDING THE REIMBURSEMENT.

CHAIRMAN GULDI:
JIM, IS THAT CORRECT?

LEG. CRECCA:
DO THEY USE SEGAL AS THEIR CONSULTANT?

MR. SPERO:
I'D HAVE TO GO BACK AND CHECK THE ORIGINAL RESOLUTION.

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MR. SABATINO:
THIS IS A COMMON ERROR THAT THE SCHOOLS APPARENTLY MAKE, THE TOWNS MAKE WITH REGARD TO STAR.

CHAIRMAN GULDI:
HOW DO YOU CHANGE THE LEVY AT THIS DATE IF THE TAX BILLS ARE OUT, THEY WENT OUT IN DECEMBER, WHAT'S THE PRACTICAL EFFECT OF PASSING THIS RESOLUTION AT THIS TIME? JIM?

MR. SABATINO:
I WOULD ASSUME, I CAN'T SPEAK FOR THE SCHOOL, BUT I WOULD ASSUME THAT THEY MAY HAVE CAUGHT THE ERROR BEFORE THE BILLS WENT OUT AND THIS IS TO, YOU KNOW, BRING IT INTO CONFORMITY. BUT IT'S FROM THE SCHOOLS, I'D HAVE TO DEFER TO THEM.

LEG. CRECCA:
MAY I SUGGEST THAT WE DO A MOTION TO DISCHARGE WITHOUT RECOMMENDATION, LEAVE IT ON THE CALENDAR AND ASK THAT SOMEONE COME TO EXPLAIN THIS TO THE FULL LEGISLATURE IN MORE DETAIL SO THAT, A, WE DON'T DELAY ANOTHER MONTH OF DOING THIS CORRECTION, BUT, B, WE CAN KNOW WHAT THE HECK --

CHAIRMAN GULDI:
WE CAN FIND OUT WHAT IT IS. SO I HAVE A MOTION TO DISCHARGE WITHOUT RECOMMENDATION. LEGISLATOR CARACCIOLO, DO YOU HAVE A SECOND FOR THAT?

LEG. CARACCIOLO:
YES. I'LL SECOND THE MOTION. I'M LOOKING AT A COVER LETTER THAT WAS ATTACHED TO A PRINTOUT FROM THE TOWN ASSESSOR'S OFFICE, THE CHAIRMAN, TO HENRY BARTON, IT READS, IT'S SHORT, "PLEASE ADJUST OUR 2002 AND '03 TAX WARRANT BASED ON THE ATTACHED PRINTOUT. THE STAR SAVINGS WERE NOT DEDUCTED FROM THE SCHOOL AMOUNT. THE TAX BILLS ARE ALL CORRECT, HOWEVER, THE FIGURES ON THE WARRANT ARE NOT CORRECT."

CHAIRMAN GULDI:
I SEE. THAT'S SUFFICIENT EXPLANATION.

LEG. FISHER:
AND MR. CHAIR, 27-B SHOWS THAT FIGURE, ATTACHMENT 27-B SHOWS THAT FIGURE.

LEG. CRECCA:
I'LL WITHDRAW MY MOTION THEN.

CHAIRMAN GULDI:

MOTION TO APPROVE OR DO WE WANT THIS ON THE CONSENT CALENDAR GIVEN THE EXPLANATION?

LEG. CRECCA:

MOTION FOR APPROVE PLACE ON THE CONSENT CALENDAR.

CHAIRMAN GULDI:

BY LEGISLATOR CRECCA, SECOND BY LEGISLATOR CARACCIOLO, 1109. ALL THOSE IN FAVOR? OPPOSED? APPROVED AND PLACED ON THE CONSENT CALENDAR.
(VOTE: 7-0-0-0) APPROVED CONSENT CALENDAR

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1110. AUTHORIZING AMENDED TAX WARRANT FOR THE TOWN OF SOUTHOLD.
ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE.
(PRESIDING OFFICER)

CHAIRMAN CRECCA:

I THINK 1110 IS A COMPANION BILL.

CHAIRMAN GULDI:

1110 IS A COMPANION BILL?

MR. SABATINO:

THE ONLY PROBLEM ON 1110, IT MAKES REFERENCE TO RIVERHEAD AND SOUTHOLD AND I THINK THAT'S A MISTAKE, I THINK THEY ONLY MEANT TO DEAL WITH SOUTHOLD, BUT AGAIN I DIDN'T PREPARE IT.

CHAIRMAN GULDI:

THE AMENDED TAX WARRANT FOR THE TOWN OF RIVERHEAD COLLECTION, SUCH TAX AS PROVIDED BY LAW ANNEXED TO THE TAX ROLL, BUT THERE'S NO BACK-UP ON THAT. I THINK WE HAVE A TYPO IN THE RESOLUTION. IS IT TOO LATE TO DO A CORRECTED COPY, COUNSEL?

LEG. CRECCA:

IF IT'S A TYPO, YOU CAN DO IT.

MR. SABATINO:

IT'S TOO LATE FOR A CORRECTED COPY, BUT IF IT TURNS OUT THEY REALLY MEANT TO INSERT SOUTHOLD, I'D LET IT GO AS A TECHNICAL CORRECTION.

CHAIRMAN GULDI:

WELL, THIS IS THE COUNTY EXECUTIVE -- THIS IS THE PRESIDING OFFICER'S RESOLUTION.

LEG. CRECCA:

ACTUALLY --

LEG. CARACCILO:
DISCHARGE WITHOUT RECOMMENDATION.

CHAIRMAN GULDI:
YES. MOTION TO DISCHARGE WITHOUT RECOMMENDATION BY LEGISLATOR
CARACCILO, SECOND BY LEGISLATOR CRECCA. DISCUSSION? ALL THOSE IN
FAVOR? OPPOSED? 1110 IS DISCHARGED WITHOUT RECOMMENDATION. THE
PRESIDING OFFICER'S REPRESENTATIVES ARE SITTING DOWN AT THE END OF THE
HORSESHOE NODDING, THEY'VE BEEN SO NOTIFIED.
(VOTE: 7-0-0-0) DISCHARGED WITHOUT RECOMMENDATION

1136. TRANSFERRING FUNDS FOR YEAR 2002 IN ACCORDANCE WITH POLICY
ESTABLISHED FOR USE OF FEES COLLECTED FROM TITLE EXAMINERS UTILIZING
COUNTY FACILITIES. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS,
FINANCE. (PRESIDING OFFICER)

CHAIRMAN GULDI:
1136. TRANSFER FUNDS FOR THE YEAR 2002 IN ACCORDANCE WITH THE POLICY
ESTABLISHED FOR THE USE OF FEES FROM TITLE EXAMINERS, FILED BY THE
PRESIDING OFFICER. BACK-UP STATES THAT'S THE INSTALLATION OF A VENDOR
CARD SYSTEM FOR PUBLIC ACCESS AT THE RECORDS OF THE COUNTY CLERK. I'LL

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MAKE A MOTION TO APPROVE AND PLACE ON THE CONSENT CALENDAR.

LEG. CRECCA:
IS THERE A BUDGETARY IMPACT ON THIS?

CHAIRMAN GULDI:
IT'S ACTUALLY ALLOCATION OF LEASE REVENUES, SO IT'S --

MR. SABATINO:
THIS IS THAT ANNUAL BILL THAT COMES BEFORE THE LEGISLATURE BASED ON A
1997 POLICY WHICH SAID THAT THE ADDITIONAL REVENUES THAT CAME IN FROM
CHANGING THE POLICY ON TITLE EXAMINERS WOULD BE MATCHED BY AN EQUIVALENT
APPROPRIATION THE FOLLOWING YEAR. SO, LAST YEAR APPROXIMATELY TWO
HUNDRED AND NINE THOUSAND DOLLARS WAS GENERATED, THEN THE FOLLOWING YEAR
YOU ACTUALLY GET TO SPEND THE MONEY, BUT IT'S GOT TO BE SPENT WITHIN THE
COUNTY CLERK'S OFFICE TO DO IMPROVEMENTS. THIS IS SORT OF LIKE A DOWN
PAYMENT ON THAT TWO HUNDRED AND NINE THOUSAND.

CHAIRMAN GULDI:
MOTION TO APPROVE AND PLACE ON THE CONSENT CALENDAR. SECOND BY?

LEG. FISHER:
SECOND.

CHAIRMAN GULDI:

BY LEGISLATOR FISHER. DISCUSSION? ALL THOSE IN FAVOR? OPPOSED? IT'S ON THE CONSENT CALENDAR. (VOTE: 7-0-0-0) APPROVED CONSENT CALENDAR

1148. TO AUTHORIZE AND EMPOWER PERFORMANCE-BASED AUDIT OF ALL COUNTY DEPARTMENTS, OFFICES AND AGENCIES. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (BISHOP)

CHAIRMAN GULDI:

1148. LEGISLATOR BISHOP?

LEG. BISHOP:

MOTION TO APPROVE.

LEG. CARACCILO:

SECOND.

CHAIRMAN GULDI:

WHAT'S IT GOING TO COST?

LEG. CRECCA:

AND WHO IS GOING TO DO IT?

CHAIRMAN GULDI:

IT'S ACTUALLY, YOU KNOW, THE BOTTOM LINE IS WHATEVER IT COSTS, IT FRANKLY IT'S GOING TO SAVE MONEY TO DO A PERFORMANCE -- BASED AUDIT.

LEG. FIELDS:

WAIT. WHAT IS THE JOINT -- IS THAT SAWICKI'S OFFICE? CAN YOU GIVE ME AN --

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LEG. BISHOP:

A PERFORMANCE-BASED AUDIT IT NOT A FISCAL AUDIT --

CHAIRMAN GULDI:

IT'S A MANAGEMENT AUDIT.

LEG. BISHOP:

IT'S A MANAGEMENT AUDIT.

LEG. FIELDS:

BUT WHO DOES THAT?

LEG. BISHOP:

THERE ARE TWO POLICIES THRUSTS THAT WE HAVE LEGISLATED IN IN RECENT YEARS. ONE IS ACCOUNTABILITY AND THE SECOND IS TRANSPARENCY. THIS WOULD SEEK TO ACHIEVE BOTH GOALS. A MODEL, ALTHOUGH NOT EXACT, IT CAN BE FOUND ON THE INTERNET WHEN YOU GO TO THE NEW YORK CITY WEB CITE AND YOU LOOK AT THE MAYOR'S MANAGEMENT REPORT. THAT'S AN INTERNAL DEPARTMENT OF

MANAGEMENT IN THE CITY, BUT THE CONCEPT IS THE SAME, THAT AN ENTITY WOULD MEET WITH THE DEPARTMENTS AND ESTABLISH THE DEPARTMENTAL GOALS.

THOSE GOALS WOULD BE ARTICULATED AND PUBLISHED. AND THEN AFTER A PERIOD OF TIME, THE ENTITY WOULD GO BACK AND CONSIDER WHETHER THE DEPARTMENT HAS ACHIEVED ITS GOALS. THIS WAY, YOU KNOW, THE PUBLIC WILL HAVE KNOWN THROUGH THE INTERNET WHETHER THEIR GOVERNMENT IS OPERATING EFFECTIVELY.

CHAIRMAN GULDI:
LEGISLATOR FIELDS.

LEG. FIELDS:
I'M STILL NOT UNDERSTANDING.

LEG. BISHOP:
THEN I'LL LET COUNSEL ANSWER THE SECOND QUESTION.

LEG. CRECCA:
THE JOINT AUDIT COMMITTEE IS --

LEG. FIELDS:
WAIT, WAIT, WAIT, LET ME JUST. I'M UNDERSTANDING WHAT YOUR GOAL IS, BUT THE QUESTION THAT I HAVE IS THE SUFFOLK COUNTY JOINT AUDIT COMMITTEE, WHO ARE THEY AND WHAT DEPARTMENT DO THEY COMPRISE? I JUST WANT TO KNOW WHO THEY ARE.

CHAIRMAN GULDI:
COUNSEL, DO YOU WANT TO ADDRESS THAT? WHO'S THE MEMBERSHIP OF THE JOINT AUDIT COMMITTEE?

MR. SABATINO:
THE JOINT AUDIT COMMITTEE IS A STATUTORY COMMITTEE THAT CONSISTS OF A DESIGNEE OF THE PRESIDING OFFICER, COUNTY TREASURER, COUNTY COMPTROLLER AND COUNTY EXECUTIVE. BUDGET REVIEW HAS HISTORICALLY BEEN THE PRESIDING OFFICER'S DESIGNEE. THERE'S A ROTATING CHAIRMANSHIP, BUT THOSE ARE THE FOUR INDIVIDUALS THAT CONSTITUTE THE JOINT AUDIT COMMITTEE. AND THEN THEY'RE CHARGED WITH THE RESPONSIBILITY OF BASICALLY SELECTING THE

PARTIES THAT CONDUCT THE OUTSIDE AUDITS.

IN THIS CASE THEY'RE BEING DIRECTED TO SECURE THIS PERFORMANCE-BASED MANAGEMENT AUDIT TO COMPLY WITH THE VARIOUS PROVISIONS THAT LEGISLATOR BISHOP JUST LAID OUT. THEY'RE IN MORE DETAIL OBVIOUSLY IN THE RESOLUTION. IT WILL BE ON A ROTATING BASIS, TO TRY TO TAKE ONE THIRD OF ALL THE COUNTY DEPARTMENTS AND AGENCIES.

LEG. BISHOP:
IT'S NOT ALL SIMULTANEOUS.

MR. SABATINO:
YOU CAN'T DO THEM ALL IN ONE SHOT, SO IT WOULD BE LIKE ON A ROTATING BASIS OF A THIRD, A THIRD, A THIRD.

LEG. FIELDS:
BUT THEY WOULD HAVE THE ABILITY TO ACTUALLY, I MEAN I THINK THIS IS A GREAT IDEA, BUT ARE THEY GOING TO HAVE THE ABILITY TO BE ABLE TO PROVIDE WHAT IT IS YOU'RE CALLING FOR IN THIS BILL OR DO THEY NEED ASSISTANCE, OTHER PEOPLE, OTHER --

MR. SABATINO:
THEY'RE GOING TO HAVE TO HIRE OR SELECT AN OUTSIDE ENTITY. THOSE FOUR INDIVIDUALS ARE A -- THEY'RE A -- THEY'RE LIKE A BODY THAT'S IN CHARGE AND RESPONSIBLE FOR MONITORING THAT WORK, BUT THOSE FOUR INDIVIDUALS WOULDN'T DO THE ACTUAL WORK, NO.

LEG. FISHER:
I HAVE ANOTHER QUESTION.

LEG. CRECCA:
MR. CHAIRMAN?

CHAIRMAN GULDI:
LEGISLATOR CRECCA IS NEXT.

LEG. CRECCA:
MR. CHAIRMAN, WHAT I WOULD -- CERTAINLY THIS IS AN EXCELLENT IDEA AND I COMMEND LEGISLATOR BISHOP, I WOULD JUST ASK LEGISLATOR BISHOP, I HAVE A PROBLEM WITH THE EFFECTIVE DATE. IT SAYS EFFECTIVE JANUARY 1ST, 2003, AND THE WEB CITE PART OF IT IS JANUARY 1ST, 2004. WE HAVE A TIGHT OPERATING BUDGET THIS YEAR, WE HAVEN'T MADE THE APPROPRIATE BUDGET LINES FOR THEM TO BE ABLE TO ACTUALLY CARRY THIS OUT AND I THINK WHAT MIGHT BE BETTER IS TO PUT AN EFFECTIVE DATE OF JANUARY 1ST, 2004, AND THAT WAY WE GIVE THE AUDIT COMMITTEE TIME TO GET THIS THING IN OPERATION. I WOULD ASK THE SPONSOR TO CONSIDER MAKING THAT AMENDMENT AND I CERTAINLY THINK I COULD GARNER MY SUPPORT FOR THIS BILL THEN, OR HE COULD GARNER MY SUPPORT, I SHOULD SAY.

LEG. FIELDS:
MAY I ASK IF THERE IS A FISCAL IMPACT STATEMENT? I DON'T SEE ONE ATTACHED.

CHAIRMAN GULDI:
LEGISLATOR FIELDS. IS THERE A FISCAL IMPACT TO THIS?

LEG CRECCA:
BUDGET REVIEW WOULD HAVE THE ANSWER.

CHAIRMAN GULDI:
BUDGET REVIEW HAVE YOU DONE A FISCAL IMPACT ON THIS? ACTUALLY, I HAVE A COUPLE OF QUESTIONS. THE AUDIT COMMITTEE, THOUGH, IT'S MY UNDERSTANDING THE AUDIT COMMITTEE DOESN'T JUST DESIGNATE AND PRIORITIZE OUTSIDE AUDITORS, BUT ALSO SUPERVISES, IF YOU WILL, THE AUDITS DONE, INTERNAL AUDITS BY THE COMPTROLLER'S OFFICE, AM I CORRECT, JIM, ARE YOU FAMILIAR?

MR. SPERO:
THEY DIRECT BOTH THE --

CHAIRMAN GULDI:
BOTH.

MR. SPERO:
INTERNAL COUNTY STAFF AND ALSO HOW OUTSIDE AUDITORS MAY BE USED.

CHAIRMAN GULDI:
WOULD IT -- IS IT OUR POLICY TO USE OUTSIDE AUDITORS AT LEAST TRI-ANNUALLY WITH RESPECT TO OUR DEPARTMENTS NOW?

MR. SPERO:
TYPICALLY, THE OUTSIDE AUDITORS MIGHT REVIEW AGENCIES THAT HAVE RECEIVED COUNTY FUNDING. IT COULD --

CHAIRMAN GULDI:
I SEE. TYPICALLY, THEY AUDIT OUTSIDE OPERATIONS, NOT INSIDE OPERATIONS?

MR. SPERO:
YES.

CHAIRMAN GULDI:
SO IT WOULD NOT BE ADDITIONAL DUTIES TO OUTSIDE AUDITORS, BUT WOULD BE ADDITIONAL AUDITS THAT THIS BILL WOULD REQUIRE.

MR. SPERO:
IT WOULD BE A COMBINATION OF IN-HOUSE STAFF AND PROBABLY CONSULTANT AUDITORS THAT WOULD BE USED TO FULFILL THE REQUIREMENTS OF THE LEGISLATION.

CHAIRMAN GULDI:
OKAY. DID YOU FIND THE FISCAL IMPACT STATEMENT --

MR. SPERO:
YES. I PULLED IT UP ON THE COMPUTER.

CHAIRMAN GULDI:
-- WHILE I WAS ANNOYING YOU WITH QUESTIONS.

LEG. FISHER:

AS HE'S LOOKING FOR THAT, DAVID, IN YOUR EXPLANATION OF YOUR LEGISLATIVE INTENT HERE, YOU SAID THAT THESE WERE NOT FINANCIAL AUDITS, BUT RATHER MANAGEMENT AUDITS AND PERFORMANCE AUDITS, BUT I'M SEEING HERE UNDER "A" THAT IT SAYS, "A PERFORMANCE-BASED AUDIT REVIEWING THE FINANCIAL AND

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MANAGEMENT OPERATIONS," SO IT WOULD BE BOTH AND I'M WONDERING IF THAT WOULD MAKE IT A MORE EXPENSIVE --

LEG. BISHOP:
I DON'T KNOW.

LEG. FISHER:
BECAUSE I'M SEEING FINANCIAL.

LEG. BISHOP:
COUNSEL, WHAT IS THE MANAGEMENT, THE FISCAL --

CHAIRMAN GULDI:
SOMEBODY HAS TO EXPLAIN TO ME HOW YOU MANAGE TO EVALUATE MANAGEMENT WITHOUT LOOKING AT FINANCES, THOUGH, I DON'T THINK YOU CAN, YOU CAN'T DO IT IN A VACUUM, AFTER ALL.

LEG. BISHOP:
RIGHT. THAT'S TRUE.

MR. SABATINO:
I THINK WHAT LEGISLATOR BISHOP MEANT WHEN HE SAID IT WASN'T FINANCIAL, I THINK HE MEANT IT MORE AS A COLLOQUIALISM, WHICH IS IT'S NOT GOING TO BE YOUR NORMAL, ORDINARY ROUTINE JUST LOOKING AT, YOU KNOW, NUMBERS IN AND NUMBERS OUT, I THINK WHAT HE WAS LOOKING AT IS SOME KIND OF AN OUTSIDE REPORT CARD ON WHAT THE ACTUAL GOVERNMENT AGENCIES ARE DOING, PART OF WHICH IS OBVIOUSLY HOW THEY'RE, YOU KNOW, HOW THEY'RE MEETING THE GOALS OF THE MONEY THAT'S ALLOCATED TO THEM IN THE CONTEXT OF WHAT THEY'RE SUPPOSED TO BE ACHIEVING AS A DEPARTMENT.

SO I THINK HE WAS TRYING TO DISTINGUISH IT FROM THE AUDIT, LIKE ON REAL ESTATE, THE AUDIT THAT WAS AUTHORIZED A FEW MONTHS AGO WAS TO GO AND FIND HOW WAS THE MONEY SPENT, HOW WAS IT ACCOUNTED FOR. HE'S GOING FOR THE OUTSIDE -- I KIND OF CHARACTERIZE IT AS THE OUTSIDE REPORT CARD ON WHAT'S TAKING PLACE IN COUNTY GOVERNMENT.

MR. SPERO:
THE FISCAL IMPACT STATEMENT HASN'T BEEN COMPLETED YET.

CHAIRMAN GULDI:
THE FISCAL IMPACT STATEMENT HASN'T BEEN COMPLETED YET. LEGISLATOR

BISHOP, DO YOU WANT TO TABLE THIS AND CONSIDER --

LEG. BISHOP:

HOW LONG DOES IT TAKE FOR A FISCAL IMPACT STATEMENT? AM I SURPRISED TO BE SURPRISED AT THIS?

MR. SPERO:

WE CAN TRY TO HAVE IT READY FOR TUESDAY, IF THE RESOLUTION MOVES OUT OF COMMITTEE.

LEG. BISHOP:

I'LL TABLE IT, BECAUSE LEGISLATOR CRECCA HAS RAISED A CONCERN. I DON'T KNOW IF I'M GOING TO DO EXACTLY WHAT HE SAYS, BUT MAYBE WE CAN ADJUST IT SOMEWHAT.

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CHAIRMAN GULDI:

MOTION TO TABLE.

LEG. BISHOP:

I JUST WANT TO UNDERSTAND, WHAT ARE THE CONCERNS ON THE OTHER END?

CHAIRMAN GULDI:

IT'S GOING TO COST.

LEG. FISHER:

WELL, I'M CONCERNED ABOUT THE KIND OF COST THAT THIS IS GOING TO REQUIRE. AND WE HAVE THE COMPTROLLER'S OFFICE THAT DOES INTERNAL AUDITS, DON'T WE?

LEG. BISHOP:

IT'S TERRIBLE.

CHAIRMAN GULDI:

I DON'T THINK THEY TRADITIONALLY HAVE DONE MANAGEMENT AUDITS, THOUGH, THEY'VE DONE FISCAL.

LEG. FISHER:

THEN PERHAPS WE SHOULD HAVE THIS AS A MANAGEMENT AUDIT TO PAIR WITH THE FINANCIAL AUDITS THAT WE'RE SEEING, YOU KNOW, AS A COMPLEMENT TO THEM. BUT I THINK DOING BOTH, I'M CURIOUS TO SEE WHAT THE FISCAL IMPACT WILL BE.

LEG. BISHOP:

I WILL TABLE IT. I WOULD ASK MEMBERS OF THE COMMITTEE AT THEIR LEISURE TO PLEASE GO TO THE NEW YORK CITY WEB CITE, BECAUSE I THINK IT'S AN EXCELLENT TOOL AND IT'S A MODEL WITH WHICH I BASE THIS LEGISLATION ON. AND I THINK YOU'LL SEE THAT, YOU KNOW, MAYOR BLOOMBERG HIMSELF CONSIDERS THE PRODUCT IMPORTANT ENOUGH THAT HE COMMENTS AND SAYS, YES, YOU'RE RIGHT, YOU KNOW, I'M GOING TO TRY TO DO BETTER IN THIS DEPARTMENT AND

THAT DEPARTMENT. AND THAT, FRANKLY, IS THE KIND OF GOVERNMENT THAT I WOULD WANT TO BE ASSOCIATED WITH, ONE THAT DOES SELF EVALUATION AND STRIVES TO IMPROVE AND I THINK THIS IS IMPORTANT.

LEG. FISHER:

I COMPLETELY AGREE WITH THE CONCEPT, I THINK IT'S A GOOD IDEA TO DIRECT US TO THAT WEB CITE, BECAUSE IT'S A COMPLEX IDEA AND I'D LIKE TO READ ABOUT IT.

LEG. BISHOP:

I'LL TABLE IT AND THEN WE'LL TAKE IT UP NEXT TIME.

CHAIRMAN GULDI:

MOTION TO TABLE BY LEGISLATOR BISHOP, SECOND BY LEGISLATOR CRECCA, SINCE IT WAS HIS IDEA. ALL THOSE IN FAVOR? OPPOSED? TABLED.

(VOTE: 7-0-0-0) TABLED

1111. TO AMEND HONEST IFMS (INTEGRATED FINANCIAL MANAGEMENT SYSTEM) BUDGET PRACTICES POLICY. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (CRECCA)

CHAIRMAN GULDI:

RESOLUTION 1111, TO AMEND HONEST INTEGRATED FINANCIAL MANAGEMENT SYSTEM

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BUDGET PRACTICES POLICY. LEGISLATOR CRECCA, YOUR RESOLUTION.

LEG. FISHER:

OUR TB'S AND EB'S.

LEG. CRECCA:

THE COLLEGE IS EXCLUDED, RIGHT, COUNSEL? COUNSEL, WOULD YOU JUST SUMMARIZE THIS?

MR. SABATINO:

IT'S THE MOST RECENT VERSION, IT BUILDS OFF OF THE RESOLUTION YOU ADOPTED EARLIER IN THE YEAR TO REFORM THE WAY THAT -- THE WAY EB, TB AND RB TRANSFERS ARE DEALT WITH IN THE COUNTY. THESE CHANGES IN THIS AMENDED BILL INCORPORATE THE RECOMMENDATIONS THAT CAME FROM ERNST & YOUNG, WHICH WAS THE OUTSIDE AUDITOR THAT WAS RETAINED. THEY BASICALLY ARE TO EXCLUDE THE COMMUNITY COLLEGE EXPLICITLY FROM COMPLIANCE. IT'S TO PROVIDE THAT -- IT WILL BE FOR TRANSACTIONS THAT ARE TEN THOUSAND DOLLARS OR GREATER. AND THEN IT'S GOING TO -- THERE'S A REQUEST OR A RECOMMENDATION FROM ERNST & YOUNG THAT CALLS FOR A MONTHLY REPORTING OF THE TRANSACTIONS FOR REVIEW BY AUDIT & CONTROL FOR BOTH THE TB'S AND THE EB'S AND THEN ALSO A REQUIREMENT THAT THERE BE A WRITTEN PROCEDURE DEVELOPED BY AUDIT & CONTROL TO BASICALLY PROVIDE FOR THE REVIEW OF THOSE TRANSACTIONS.

LEG. CRECCA:

I HAVE A QUESTION. PAUL, I KNOW THERE WAS CONFUSION GOING BACK AND FORTH WITH THE CHANGES AND I THINK THE COPY I HAVE IN FRONT OF ME IS NOT THE MOST RECENT, BUT NOW EXCEPTED FROM THE PRACTICE WILL BE ALL TRANSACTIONS OF TEN THOUSAND OR LESS, CORRECT, SO FOR TB'S, RB'S AND EB'S?

MR. SABATINO:

NO. THE TB TRANSACTIONS OF TEN THOUSAND DOLLARS OR LESS, IT'S THE TB TRANSACTIONS OF TEN THOUSAND DOLLARS OR LESS.

LEG. CRECCA:

ALL RIGHT. IT'S SUPPOSED TO BE THE RB'S, EB'S AND TB'S OF TEN THOUSAND OR LESS. IN OTHER WORDS, THE NOTATION -- THE NOTATION SHOULD BE HAPPENING FOR ALL TRANSFERS.

MR. SABATINO:

IT WILL.

LEG. CRECCA:

OKAY. THEN WHAT'S SUPPOSED TO HAPPEN --

MR. SABATINO:

IT'S GOING TO BE HAPPENING FOR ALL OF THE TRANSACTIONS EXCEPT THE TB TRANSACTIONS OF TEN THOUSAND DOLLARS OR LESS.

CHAIRMAN GULDI:

ACTUALLY, MY COPY SAYS THE NOTATIONS SHALL OCCUR ON THOSE, JUST THE APPROVAL --

MR. SABATINO:

THERE'S A CORRECTED COPY AS OF YESTERDAY, BECAUSE THERE WAS ANOTHER --

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LEG. CRECCA:

OKAY. I DON'T HAVE THAT COPY.

MR. SABATINO:

IT WAS ONLY FILED YESTERDAY, BECAUSE ANOTHER REQUEST CAME IN FROM --

CHAIRMAN GULDI:

IS THE CORRECTED COPY TIMELY TO BE ACTED ON FOR THIS CYCLE OR DOES IT NEED TO BE TABLED BECAUSE OF THE FILING OF THAT CORRECTED COPY?

MR. SABATINO:

THAT'S ELIGIBLE, IT WAS FILED YESTERDAY. YESTERDAY WAS THE DEADLINE.

LEG. CRECCA:

OKAY. ON THAT CORRECTED COPY, IS IT JUST TB TRANSACTIONS OF TEN THOUSAND OR LESS OR IS TB, EB AND RB?

MR. SABATINO:

IT'S ONLY THE TB TRANSACTIONS OF TEN THOUSAND DOLLARS OR LESS ARE EXCEPTED, IT MEANS THAT ALL OF THE OTHER TRANSACTIONS WILL BE COVERED.

LEG. CRECCA:

OKAY. IT'S SUPPOSED TO BE TB, RB AND EB. CAN I CORRECT THAT NOW?

LEG. FISHER:

WILL IT EXCEPT ALL THREE?

LEG. CRECCA:

THE NOTATIONS WILL STILL BE MADE.

CHAIRMAN GULDI:

CAN WE GET COPIES OF THE, A CORRECTED COPY OF THE BILL DISTRIBUTED AND SKIP OVER THIS AND COME BACK TO IT ON THE AGENDA? SO ONE OF MY AIDES IS THIS THE CORRECTED COPY YOU HAVE, COUNSEL? ONE OF MY AIDES WILL TAKE THIS AND MAKE THE COPIES. WE'LL CONTINUE ON THE AGENDA AND WE'LL COME BACK TO THIS.

1113. REQUIRING EXIT INTERVIEWS FOR ALL COUNTY EMPLOYEES.

ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (POSTAL)

CHAIRMAN GULDI:

RESOLUTION 1113. THE PRESIDING OFFICER HAS GIVEN ME A MESSAGE THAT SHE REQUESTS THAT THIS BILL BE TABLED FOR ONE CYCLE. IT LOOKS LIKE AN EXCELLENT BILL. I WILL HONOR THAT REQUEST AND MAKE A MOTION TO TABLE.

LEG. FISHER:

SECOND.

CHAIRMAN GULDI:

SECOND BY LEGISLATOR FISHER. DISCUSSION? ALL THOSE IN FAVOR? OPPOSED? TABLED. I LOOK FORWARD TO ADDRESSING THAT. (VOTE: 7-0-0-0) TABLED

1127. AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY HABITAT FOR HUMANITY OF SUFFOLK FOR THEIR ANNUAL HOUSEWALK FUNDRAISER. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (COUNTY EXECUTIVE)

CHAIRMAN GULDI:

1127. THE RESOLUTION PROVIDES THAT THERE BE A THREE HUNDRED AND FIFTY DOLLAR FEE EVENT.

LEG. FISHER:

MOTION.

CHAIRMAN GULDI:

MOTION TO APPROVE AND PLACE ON THE CONSENT CALENDAR BY LEGISLATOR FISHER.

LEG. FIELDS:
SECOND.

CHAIRMAN GULDI:
SECOND BY LEGISLATOR FIELDS. ALL THOSE IN FAVOR? OPPOSED? APPROVED AND
PLACED ON THE CONSENT CALENDAR.
(VOTE: 7-0-0-0) APPROVED CONSENT CALENDAR

1133. AMENDING THE SCHEDULE OF FEES IN CONNECTION WITH THE PURCHASE OF
THE SUFFOLK COUNTY TAX MAP AND OTHER ITEMS PERTAINING THERETO.
ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (COUNTY
EXECUTIVE)

CHAIRMAN GULDI:
1133. AMENDING THE SCHEDULE OF FEES IN CONNECTION WITH THE PURCHASE OF
SUFFOLK COUNTY TAX MAP AND OTHER ITEMS PERTAINING THERETO.

LEG. CARACCIOLO:
MOTION.

LEG. CRECCA:
THEY'RE MINOR INCREASES, I WOULD SECOND THE MOTION.

LEG. FIELDS:
SECOND.

CHAIRMAN GULDI:
1133, THE INCREASES ARE FROM FIVE TO SIX DOLLARS OR TWO-FIFTY TO THREE
DOLLARS. OKAY. IT LOOKS LIKE A CONSENT CALENDAR MATTER TO ME, THOUGH.

LEG. CRECCA:
YES. IT HAS A POSITIVE FISCAL IMPACT, AS MIKE CARACCIOILO WAS JUST ABOUT
TO SAY.

CHAIRMAN GULDI:
MOTION TO APPROVE AND PLACE ON THE CONSENT CALENDAR BY LEGISLATOR
CARACCIOLO, SECOND BY LEGISLATOR CRECCA. ALL THOSE IN FAVOR? OPPOSED?
APPROVED AND PLACED ON THE CONSENT CALENDAR.
(VOTE: 7-0-0-0) APPROVED CONSENT CALENDAR

MR. SABATINO:
JUST ONE NOTATION, MR. CHAIRMAN, THE FISCAL IMPACT STATEMENT SAYS IT'S
GOING TO HAVE IMPACT, BUT THAT CAN'T POSSIBLY BE TRUE, BECAUSE YOU'RE
INCREASING ALL THE REVENUES, SO --

CHAIRMAN GULDI:
YOU'RE GOING TO INCREASE THE REVENUES, BUT YOU COULD HAVE A DECREASE IN

VOLUME, SO THEY COULD CONSIDER IT DE MINIMUS, BUT IN ANY EVENT --

LEG. FIELDS:
LEGISLATOR GULDI, MAY I --

CHAIRMAN GULDI:
LEGISLATOR FIELDS.

LEG. FIELDS:
ON THIS NEXT BILL WE'RE TALKING ABOUT --

CHAIRMAN GULDI:
1135 YOU MEAN?

LEG. FIELDS:
RIGHT. BUT I DON'T WANT TO TALK ABOUT THAT BILL, I WANT TO ASK THE
CHAIRMAN DIRECTLY. IT'S MY UNDERSTANDING THAT DPW I BELIEVE IS SUPPOSED
TO PROVIDE THIS COMMITTEE WITH, I THINK IT'S A BIANNUAL REPORT ABOUT THE
FLEET AND THE VEHICLES AND WHETHER OR NOT COUNTY PERSONNEL ARE DRIVING IT
FIFTY-ONE PERCENT OF THE TIME, ETCETERA, ETCETERA. AM I CORRECT?

CHAIRMAN GULDI:
YES, YOU ARE.

LEG. FIELDS:
OR, COUNSEL, AM I CORRECT?

MR. SABATINO:
THAT'S CORRECT. DECEMBER 31ST, AND I THINK IT'S JULY 31ST ARE THE TWO
DEADLINES.

LEG. FIELDS:
I'VE PROBABLY BEEN ON THIS COMMITTEE FOR THE FULL LENGTH OF MY -- SINCE I
WAS FIRST ELECTED, AND I BELIEVE I SAW SORT OF A REPORT ONCE. SO THAT
MEANS THAT WE'VE MISSED LIKE SIX REPORTS. I AM ASKING I GUESS ON THE
RECORD OF THE CHAIRMAN TO ASK DPW TO PROVIDE THAT REPORT AT THE NEXT
MEETING.

LEG. CRECCA:
DOES THAT GO HERE OR PUBLIC WORKS?

CHAIRMAN GULDI:
ACTUALLY, IT'S TO WAYS & MEANS.

LEG. FIELDS:
IT'S SUPPOSED TO BE HERE.

LEG. CRECCA:
TO WAYS & MEANS?

CHAIRMAN GULDI:
YES.

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LEG. FIELDS:
HERE.

CHAIRMAN GULDI:
I'M LOOKING AT -- HOLD ON ONE MOMENT. I WAS LOOKING AT THIS AS A RESULT OF THE BUDGET REVIEW STEERING COMMITTEE WHERE IT WAS DISCUSSED YESTERDAY. I HAVE IT ON MY AGENDA TO MAKE A DEMAND FOR THE REPORTS, BECAUSE WE FRANKLY DON'T HAVE THE RECORDS. FOR EXAMPLE, ONE OF THE THINGS THAT I'M CONCERNED ABOUT IS THE IMPLEMENTATION OF THE NEW GASSING SYSTEM, WE DON'T HAVE THE DATA ON IT.

LEG. FIELDS:
ALL RIGHT. SO I WILL ASK ON THE RECORD TODAY FOR THAT REPORT TO BE GIVEN TO THIS COMMITTEE AT THE NEXT MEETING OF THE WAYS & MEANS COMMITTEE?

CHAIRMAN GULDI:
I WILL SEND THEM A LETTER DIRECTING THEM TO ATTEND AND PROVIDE US WITH THE REPORT, AND I LOOK FORWARD ANXIOUSLY TO THEIR RESPONSE. I THINK I ANTICIPATE WE'RE GOING TO HAVE SOME DIFFICULTY IN GETTING THAT INFORMATION BASED ON A BUDGET REVIEW MEETING WITH THEM, BUT I AM GOING TO INSIST UPON A COMPLETION OF THE DATA.

LEG. FIELDS:
THANK YOU.

LEG. CARACCIOLO:
MR. CHAIRMAN, WHAT IS THE DIFFICULTY IN GENERATING THIS REPORT?

CHAIRMAN GULDI:
THE -- DPW SEEMS TO HAVE SOME DIFFICULTY BECAUSE THE VEHICLES OUTSIDE OF THEIR DEPARTMENT AND GETTING THE DATA ON THE USE AND UTILITY OF THAT OF NON-DPW VEHICLES, AND THAT'S WHY I ANTICIPATE HAVING SOME DIFFICULTY. BUT FRANKLY, WE'LL GET THEM IN HERE, WE'LL FIND OUT WHAT THEIR PROBLEMS ARE AND WE'LL ADDRESS THIS ISSUE AGGRESSIVELY.

LEG. CARACCIOLO:
I WOULD ALSO SUGGEST THAT YOU GET THE OTHER DEPARTMENT HEADS THAT HAVE JURISDICTION OVER THEIR FLEETS, LIKE THE POLICE DEPARTMENT, HERE SO WE DON'T HAVE TO GO THROUGH SUCCESSIVE MEETINGS TO GET TO THE BOTTOM OF THIS.

CHAIRMAN GULDI:
WELL, THIS CAME UP YESTERDAY MORNING, YESTERDAY MIDDAY, AND I HAVE BEEN IN COMMITTEE MEETINGS CONSISTENTLY SINCE THEN, AND I WILL ADDRESS IT IMMEDIATELY.

LEG. FIELDS:
THANK YOU. I APPRECIATE THAT.

1135. ADOPTING LOCAL LAW NO -- 2003, A LOCAL LAW TO RESTRICT PURCHASE
OF SPORTS UTILITY VEHICLES (SUV) BY SUFFOLK COUNTY.
ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (BINDER)

CHAIRMAN GULDI:
NOW GOING TO RESOLUTION 1135.

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LEG. CARACCIOLO:
MOTION.

CHAIRMAN GULDI:
1135 IS A LOCAL LAW TO RESTRICT PURCHASE OF SUV'S BY SUFFOLK COUNTY.
MOTION BY LEGISLATOR CARACCIOLO, SECOND BY LEGISLATOR BISHOP.
EXPLANATION, COUNSEL.

LEG. BISHOP:
MAY I? IN THE -- AS ONE OF THE SPONSORS, MAY I?

CHAIRMAN GULDI:
LEGISLATOR BISHOP, GO AHEAD.

LEG. BISHOP:
COUNSEL CAN DESCRIBE THE TECHNICAL ASPECTS OF THE BILL, BUT IT IS THE
SPONSOR'S OBSERVATION THAT OVER THE LAST DECADE THROUGHOUT OUR SOCIETY
THERE HAS BEEN A PROLIFERATION OF SUV'S, IN PART BECAUSE THEY ARE SEEN AS
STATUS SYMBOLS. AND IN OUR COUNTY GOVERNMENT IT HAS BEEN OUR OBSERVATION
THAT SUV'S HAVE BEEN ON THE INCREASE AND THAT THEY HAVE BEEN ASSIGNED IN
MANY CASES TO EMPLOYEES WHO DO NOT NEED AN SUV TYPE OF VEHICLE IN ORDER
TO PERFORM THEIR GOVERNMENTAL DUTIES. THAT SEEMS TO US TO BE WASTEFUL
AND IT IS A PRACTICE THAT WE WOULD LIKE TO CONTROL.

LEG. FISHER:
IT SOUNDS GOOD TO ME.

CHAIRMAN GULDI:
COUNSEL, HOW IS THAT GOING TO BE IMPLEMENTED IN TERMS OF --

MR. SABATINO:
THE WAY IT'S GOING TO BE IMPLEMENTED IS THE EXISTING VEHICLE POLICY LAW
WILL BE AMENDED TO REQUIRE A WRITTEN JUSTIFICATION FROM A PERTINENT
DEPARTMENT HEAD, WHETHER HE OR SHE IS A ELECTED OR APPOINTED, BEFORE ANY
ACQUISITION OF A SPORTS UTILITY VEHICLE CAN BE MADE.

CHAIRMAN GULDI:

WRITTEN JUSTIFICATION TO WHOM?

LEG. FIELDS:
YES, TO WHOM?

MR. SABATINO:
FROM EACH DEPARTMENT HEAD, AND APPROVAL BY DULY ENACTED COUNTY
LEGISLATION, WHICH MEANS THAT THE RATIONALE WOULD HAVE TO BE SUBMITTED
WITH THE LEGISLATION IN ORDER TO APPROVE THE ACQUISITION, WHETHER IT'S BY
LEASE OR PURCHASE OF THE SUV.

CHAIRMAN GULDI:
SO --

LEG. BISHOP:
BUT THE ONE SAFEGUARD, COUNSEL, I JUST WANT TO, YOU CAN SAY JOE X IN
PARKS HAULS A LOT OF STUFF AROUND, AND THAT WOULD COME TO US AND THAT
WOULD MAKE PERFECT SENSE. HOW DO WE GUARD AGAINST THAT ONCE WE ACQUIRE
THE VEHICLE THAT THE VEHICLE ACTUALLY ENDS UP WITH JOE X AND NOT WITH,

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YOU KNOW, JANE Y, DEPUTY COMMISSIONER SOMEWHERE ELSE?

MR. SABATINO:
WELL, THAT'S WHY THIS BILL IS AMENDING THE EXISTING VEHICLE REPORTING
POLICY, BECAUSE AS LEGISLATOR FIELDS INDICATED EARLIER, THAT PARTICULAR
STATUTE REQUIRES TWICE A YEAR, NOT ONCE, BUT TWICE THAT YOU GET THOSE
REPORTS. THAT WOULD BE THE ENFORCEMENT MECHANISM.

LEG. BISHOP:
VERY GOOD.

CHAIRMAN GULDI:
OKAY.

LEG. CRECCA:
PLEASE LIST ME AS A CO-SPONSOR, IF YOU CAN DIRECT THE CLERK TO DO THAT.

LEG. CARACCILO:
YES.

LEG. FISHER:
CO-SPONSOR.

LEG. FIELDS:
I THINK WE ALL MIGHT LIKE TO CO-SPONSOR.

CHAIRMAN GULDI:

ONE OF THE CONCERNS I HAVE, COUNSEL, WILL THIS REQUIRE THE JUSTIFICATIONS TO COME IN WITH THE BUDGET IN WHICH WE CUSTOMARILY APPROVE DEPARTMENTAL ACQUISITION OF VEHICLES?

MR. SABATINO:

IT WILL BE IN WHATEVER CONTEXT IN WHICH VEHICLES ARE BEING ACQUIRED. SOMETIMES THAT OCCURS IN THE MIDDLE OF THE YEAR AS YOU RECALL FROM THE CAR LEASING DAYS.

CHAIRMAN GULDI:

BUT GENERALLY MORE OFTEN IT OCCURS --

MR. SABATINO:

CAPITAL BUDGET, OPERATING BUDGET, RIGHT. ALSO IT WOULD HAVE TO -- THE JUSTIFICATION, BY THE WAY, CAN'T BE JUST A GENERAL JUSTIFICATION, IT'S GOT TO SPECIFICALLY IDENTIFY THE JOB TITLE AND THE ACTUAL WORK FUNCTION AND HOW THAT'S CONSISTENT WITH THE REQUEST. SO, IT'S PRETTY TIGHT LANGUAGE IN TERMS OF THE DOCUMENTATION.

CHAIRMAN GULDI:

I UNDERSTAND THE LANGUAGE AND I APPRECIATE THAT AND I UNDERSTAND, YOU KNOW, QUITE FRANKLY THERE ARE A NUMBER OF FUNCTIONS, I THINK TODAY'S NEWSDAY REPORTS, FOR EXAMPLE, THAT IN CONNECTION WITH EMERGENCY PREPAREDNESS THAT THE POLICE DEPARTMENT HAS REQUIRED NINE FOUR-WHEEL-DRIVE VEHICLES AS PART OF THEIR EMERGENCY PREPAREDNESS PROGRAM. MY CONCERN IS --

LEG. BISHOP:

I'D LIKE TO DISCUSS IT WITH THEM.

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CHAIRMAN GULDI:

-- WITH THIS BILL TAKES EFFECT IMMEDIATELY, SO THAT IN THE EVENT THAT THE DEPARTMENT NEEDED TO OR FELT IT NEEDED TO ACQUIRE A TENTH SUCH VEHICLE, IT WOULD REQUIRE THEM TO COME TO US WITH A JUSTIFICATION FOR THE USER OF THAT TENTH VEHICLE, BUT NOT FOR THE NINE THEY JUST ACQUIRED?

LEG. BISHOP:

CORRECT.

MR. SABATINO:

IT'S ANY VEHICLE THAT IS GOING TO BE ACQUIRED ON OR AFTER THE EFFECTIVE DATE.

LEG. BISHOP:

IT'S GOT TO START SOMETIME.

CHAIRMAN GULDI:

SO IT'S GOT NO RETROACTIVE EFFECT. I UNDERSTAND. OKAY.

LEG. FISHER:

DAVE, I THINK PHIL GOLDSTEIN WOULD BE VERY PROUD OF YOU AS A PATRIOT.

LEG. CRECCA:

THE SUV'S THAT ARE CURRENTLY PART OF OUR FLEET WILL CONTINUE IN THEIR CURRENT ASSIGNMENTS, IS THAT CORRECT?

MR. SABATINO:

PREVIOUSLY ACQUIRED, YES.

CHAIRMAN GULDI:

WELL, ALSO THOSE VEHICLES COULD -- THE ONE CONCERN I HAVE IS THOSE VEHICLES THEY CURRENTLY HAVE COULD BE EASILY REASSIGNED, THERE'S NO PROHIBITION HERE.

MR. SABATINO:

BUT ALSO, JUST TO CLARIFY THE STATUTE, THE PRE-EXISTING VEHICLES ARE STILL SUBJECT TO THE PRE-EXISTING STATUTE, SO THAT SOMEBODY WHO'S CURRENTLY ASSIGNED ONE OF THESE VEHICLES STILL HAS TO MEET ALL THOSE REQUIREMENTS. FOR EXAMPLE, IF YOU CAN'T SHOW THE FIFTY-ONE PERCENT BUSINESS -- GOVERNMENTAL USE, YOU LOSE THE VEHICLE.

LEG. BISHOP:

LET ME ALSO POINT OUT A HYPOTHETICAL SCENARIO. MY JOE Y IN THE PARKS DEPARTMENT, AND THEY COME FORWARD WITH A RESOLUTION FOR THAT, AND IF THEY'RE REPORTING CORRECTLY PER LEGISLATOR FIELDS' REQUEST, YOU COULD SAY, WELL, CAN'T WE REASSIGN THAT VEHICLE AND GET THE JANE X AN ESCORT OR, YOU KNOW, A TAURUS INSTEAD, AND IN THAT WAY WE CAN BEGIN TO WEAN OURSELVES OFF IN APPROPRIATELY SIZED VEHICLES.

CHAIRMAN GULDI:

OKAY.

LEG. FIELDS:

CAN I ASK ONE OTHER QUESTION? IN OTHER WORDS, LET'S SAY THEY BOUGHT A CAR IN 1995 AND IT'S AN SUV, WHEN IT COMES TIME TO REPLACE THAT VEHICLE IT WILL BE UNDER THIS NEW --

LEG. BISHOP:

YES, EXACTLY.

LEG. FIELDS:

OKAY. GREAT.

CHAIRMAN GULDI:

ALL RIGHT. ON THE MOTION.

MR. SABATINO:
THERE'S A PUBLIC HEARING, THOUGH, MR. CHAIRMAN.

CHAIRMAN GULDI:
MOTION TO TABLE FOR PUBLIC HEARING. SECOND BY LEGISLATOR BISHOP. ALL
THOSE IN FAVOR? OPPOSED? TABLED FOR PUBLIC HEARING.
(VOTE: 6-0-0-1) (ABSENT: HALEY) TABLED

LEG. BISHOP:
HOPEFULLY IT WILL BE MUCH BRIEFER NEXT TIME.

CHAIRMAN GULDI:
HOPEFULLY. THERE'S NOT NECESSARILY AN ASSURANCE OF THAT.

1156. TO AMEND 2003 RULES OF THE COUNTY LEGISLATURE IN CONNECTION WITH
CONSIDERATION OF APPOINTEES. ASSIGNED TO WAYS & MEANS, REAL ESTATE
TRANSACTIONS, FINANCE. (CRECCA)

CHAIRMAN GULDI:
1156. LEGISLATOR CRECCA.

LEG. CRECCA:
THIS WOULD MAKE ME PRESIDING OFFICER FOR THE NEXT THREE MEETINGS.

LEG. FIELDS:
EXPLANATION.

LEG. CRECCA:
ACTUALLY, THIS WAS DISCUSSED AT THE LAST --

CHAIRMAN GULDI:
MOTION TO APPROVE.

LEG. CRECCA:
-- AT THE LAST GENERAL MEETING. WHAT HAPPENED IS RIGHT NOW IN OUR AGENDA
THE SEVENTH ITEM IN OUR AGENDA IS REPORTS OR STATEMENTS FROM THE COUNTY
EXECUTIVE, COMMISSIONERS, DIRECTORS, ETCETERA, ETCETERA. WHAT I WANTED
TO INCLUDE IN THAT PORTION OF THE MEETING IS ANY INTERVIEWS OF NOMINEES
TO ANY COUNTY BOARDS, COMMISSIONS, DEPARTMENTS.

LEG. FISHER:
SECOND.

CHAIRMAN GULDI:
MOTION TO APPROVE AND SECOND.

LEG. FIELDS:

WAIT, WAIT, WAIT.

CHAIRMAN GULDI:
LEGISLATOR FIELDS.

LEG. FIELDS:
SAY THAT AGAIN, DON'T JUST STOP ON THAT ONE. IF YOU HAVE AN APPOINTEE,
WHAT HAPPENS?

LEG. CRECCA:
AT THIS POINT NOW THE BILL READS, AT THIS POINT NOW THE CURRENT RULES
THAT ARE IN EFFECT READ THAT WE'LL HEAR FROM COMMISSIONERS, DIRECTORS,
DEPUTY COMMISSIONERS, DIVISION OR DEPARTMENT HEADS OF ANY COUNTY OFFICE,
AGENCY OR DEPARTMENT, AND ANY STATEMENTS OF ANY VILLAGE, TOWN, COUNTY,
STATE OR FEDERAL ELECTED OFFICIALS, THAT'S WHERE IT STOPS. I'M ADDING
AND INTERVIEWS OF ANY NOMINEES TO ANY COUNTY BOARDS, COMMISSIONS,
DEPARTMENTS, AGENCIES AND OFFICES, AT WHICH TIME THEY MAY BE QUESTIONED
BY COUNTY LEGISLATORS.

LEG. FIELDS:
OKAY. I THOUGHT FOR SOME REASON THAT YOU WEREN'T GOING TO LET
LEGISLATORS QUESTION.

LEG. CRECCA:
I SPECIFICALLY ASKED THAT COUNTY LEGISLATORS BE ABLE TO.

LEG. FIELDS:
FINE. THANK YOU.

LEG. CRECCA:
JUST, LEGISLATOR FIELDS, I HAD HAD IT TO BE QUESTIONED BY REPUBLICAN
COUNTY LEGISLATORS, BUT I CHANGED IT IN A BIPARTISAN FASHION TO ALLOW IT.
MOTION TO APPROVE.

CHAIRMAN GULDI:
MOTION TO APPROVE AND SECOND BY LEGISLATOR FISHER. DISCUSSION? ALL
THOSE IN FAVOR? OPPOSED? SHOULD WE PLACE THIS ON THE CONSENT CALENDAR?

LEG. BISHOP:
YES.

CHAIRMAN GULDI:
YOU THINK SO?

LEG. FISHER:
NO.

CHAIRMAN GULDI:
WE GOT ONE NO. ALL THOSE IN FAVOR? OPPOSED? IT'S APPROVED.
(VOTE: 6-0-0-1) (ABSENT: HALEY) APPROVED

CHAIRMAN GULDI:

GOING BACK TO 1111, A COPY OF WHICH HAS BEEN DISTRIBUTED TO ALL OF YOU, INCLUDING ME?

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LEG. CRECCA:

YEAH. I BELIEVE THERE WAS -- I'LL ASK FOR IT TO BE AMENDED AS A TECHNICAL CORRECTION. ON THE BOTTOM OF THE FIRST PAGE ON THE FIRST RESOLVE CLAUSE IT SAYS, "EXCEPT THAT TB TRANSACTIONS OF TEN THOUSAND OR LESS," IT SHOULD READ, "EXCEPT THAT EB, RB AND TB TRANSACTIONS OF TEN THOUSAND OR LESS." AND WHAT THAT DOES IS THAT WILL STILL REQUIRE THE COUNTY COMPTROLLER TO APPROVE ALL TRANSACTIONS OVER TEN.

LEG. FISHER:

I HAVE A QUESTION ABOUT THE SENSE RESOLUTION.

LEG. FIELDS:

THE NEXT ONE.

LEG. CRECCA:

COUNSEL, CAN I MAKE THAT CORRECTION?

MR. SABATINO:

YES, WE'LL INCORPORATE THOSE.

LEG. CRECCA:

THEN I MAKE A MOTION TO APPROVE. THIS IS JUST AMENDING THE POLICY, WHICH I SAID THAT I WOULD DO, AND IT'S JUST -- THIS TWEAKS IT AFTER ERNST & YOUNG'S REPORT, AND AFTER MEETING WITH BUDGET REVIEW, THE BUDGET OFFICE AS WELL AS, AND MOST IMPORTANTLY JOE SAWICKI, WHO'S BEEN VERY INSTRUMENTAL IN MOVING THIS BILL FORWARD.

CHAIRMAN GULDI:

ON THE MOTION? THE QUESTION I HAVE IS THAT THE ALTERATION OF THE EXCEPTION, THAT IS THE TEN THOUSAND DOLLAR EXCEPTION TO INCLUDE THE EB'S AND RB'S, WAS THAT -- DOES THAT EXCEED THE SCOPE OF ERNST & YOUNG'S RECOMMENDATIONS? MY RECOLLECTION WAS THAT THAT REPORT ONLY RELATED TO THE TB'S, AM I MISTAKEN?

LEG. CRECCA:

MY UNDERSTANDING IS, AND I'LL LET COUNSEL ANSWER AFTER ME CERTAINLY BECAUSE HE MIGHT HAVE A BETTER UNDERSTANDING, BUT IF YOU LOOK ABOUT THE SECOND RESOLVE THAT WE ADDED ABOUT THE MONTHLY REPORTING, PART OF THE REASON FOR THAT IS SO THAT THEY CAN LOOK AT THOSE TRANSACTIONS UNDER TEN THOUSAND AND HAVE A MECHANISM TO DO THAT.

I ALSO WILL NOTE TO YOU THAT I LEFT THE PART THAT REQUIRES A NOTATION BE ADDED REGARDLESS OF THE AMOUNT OF THE TRANSACTION SO THAT IF BUDGET

REVIEW GOES BACK TO LOOK AT IT OR ANYBODY ELSE, FOR THAT MATTER, ONE OF US GOES BACK TO LOOK AT IN THE IFMS SYSTEM, THERE STILL WILL HAVE TO BE A NOTATION FROM THE BUDGET OFFICE FOR AN EXPLANATION AS TO THE TRANSACTION ITSELF.

CHAIRMAN GULDI:

I UNDERSTAND THAT, BUT MY UNDERSTANDING IS ALSO THAT THE -- THAT THE TB'S WERE USED TO ACCEPT REVENUE FROM GRANTS, IS THAT CORRECT?

LEG. CRECCA:

NO. THE TB'S WERE TO ACCEPT -- WELL, KEN, WHY DON'T YOU ANSWER THIS.

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CHAIRMAN GULDI:

WE HAVE A VOLUNTEER.

LEG. CRECCA:

I APOLOGIZE.

MR. KNAPPE:

THE RB DOCUMENT, YOU KNOW, THIS IS WHERE WE GET INTO THE HEE-BEES AND GEE-BEES THAT WE'VE BEEN JOKING ABOUT THROUGHOUT THIS COMMITTEE PROCESS, BUT THE RB'S, THE REVENUE BUDGET DOCUMENTS --

CHAIRMAN GULDI:

THE REVENUE BUDGETS ARE THE REVENUE ITEMS. THE TB'S ARE TRANSFERS?

MR. KNAPPE:

THE TB'S ARE WITHIN THE DEPARTMENT TRANSFER, WITHIN THE FUND AND DEPARTMENT TRANSFER.

CHAIRMAN GULDI:

AND EB'S ARE?

MR. KNAPPE:

EB'S ARE THE EXPENSE BUDGET DOCUMENTS WHICH --

CHAIRMAN GULDI:

OKAY. NOW, MY QUESTION IS THOUGH DID ERNST & YOUNG RECOMMEND THE EXCEPTION OF ALL THREE OF THOSE OR NOT?

MR. KNAPPE:

I'LL HAVE TO DEFER FOR THAT ANSWER. I HAVE NEVER SEEN A COMPLETED COPY OF THE ERNST & YOUNG REPORT.

CHAIRMAN GULDI:

OKAY. WHO HAS? JIM?

MR. SPERO:

I'LL TRY TO GET AN ANSWER.

MR. SABATINO:

THEY RECOMMENDED ON THE TB'S, I CONSTRUCTED IT TO FOLLOW --

CHAIRMAN GULDI:

JUST THE TB'S WAS THE SCOPE OF THEIR RECOMMENDATION.

LEG. CRECCA:

I'M NOT GOING TO -- I DON'T REMEMBER SPECIFICALLY WHICH ONES, BUT I DID SPEAK TO ALL OF THE PARTIES THAT I SPOKE ABOUT EARLIER, AND FROM AN IMPLEMENTATION POINT OF VIEW AND A PRACTICAL POINT OF VIEW AND THE VOLUME POINT OF VIEW, SPECIFICALLY AT THE COMPTROLLER'S OFFICE, THEY BELIEVE IT'S NECESSARY TO INCLUDE THE EB'S AND THE RB'S IN WITH THE TEN THOUSAND OR LESS EXCEPTION.

AND STRICTLY BECAUSE OF THE -- THERE WAS TWO CONCERNS, I THINK, AND, KENNY, CORRECT ME IF I'M WRONG, ONE CONCERN WAS WE PROBABLY WOULD NEED ADDITIONAL STAFF AT THE COMPTROLLER'S OFFICE TO -- BECAUSE THERE IS A VOLUME OF ACTIVITY THAT HAPPENS BELOW THE TEN THOUSAND DOLLAR RANGE

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THAT WOULD PROBABLY REQUIRE MORE STAFF.

THE SECOND REASON WAS THAT IT WOULD PROBABLY SLOW DOWN THE WHOLE PROCESS OF APPROVAL OF THESE TRANSFERS, BECAUSE UNDER THE WAY THE STATUTE IS DESIGNED, IFMS WON'T ACCEPT AS A COMPLETED TRANSACTION UNTIL THE COMPTROLLER SIGNS OFF ON IT.

LEG. FISHER:

SO ACTUALLY COUNSEL'S INTERPRETATION AS HE CORRECTED THE COPY WAS CORRECT AS FAR AS ERNST & YOUNG RECOMMENDATIONS, BUT YOU'RE SAYING BECAUSE OF HOUSEKEEPING AND ADMINISTRATIVE ISSUES AND VOLUME --

LEG. CRECCA:

CORRECT

LEG. FISHER:

-- THAT YOU WOULD INCLUDE ALL THREE, THE RB'S, THE EB'S AND TB'S UNDER TEN THOUSAND DOLLARS?

LEG. CRECCA:

CORRECT. AND ALSO WE TALKED ABOUT DEVELOPING WRITTEN PROCEDURES TO PERFORM THE INDEPENDENT REVIEW OF ALL THESE TRANSACTIONS. PART OF THAT IS THAT, AND I'VE BEEN GIVEN ASSURANCE AND I'LL CERTAINLY KEEP ON TOP OF IT, THAT THERE WILL BE A MONTHLY REVIEW OF ALL THE TRANSACTIONS, INCLUDING THOSE UNDER TEN THOUSAND.

LEG. FISHER:

BY WHOM?

LEG. CRECCA:

BY THE COMPTROLLER'S OFFICE. IS THAT CORRECT, KEN?

MR. KNAPPE:

THAT'S CORRECT. AND IT'S MY UNDERSTANDING THAT THE COMPTROLLER'S OFFICE WILL DEFINITELY NOTIFY BUDGET REVIEW AS WELL THE BUDGET OFFICE WITH THEIR CONCERNS IF THERE ARE ANY AT THAT POINT WHEN THEY DO THEIR MONTHLY REVIEWS. AND I'M SURE THIS COMMITTEE WILL BE MADE AWARE OF THOSE CONCERNS.

LEG. CRECCA:

AND I HAVEN'T ACQUIESCED ON ALL THEIR REQUESTS, BECAUSE ONE OF THEIR REQUESTS TOO, AT LEAST FROM THE BUDGET OFFICE, WAS TO NOT HAVE TO DO NOTATIONS FOR THOSE UNDER TEN THOUSAND DOLLARS, AND I DISAGREED WITH THAT, I FELT THAT THE WHOLE IDEA OF HAVING THE NOTATION IS THAT WHEN SOMEONE GOES BACK TO LOOK AT IT, THEY CAN HAVE SOME SORT OF REASONING OR RATIONALE AS TO WHY THE TRANSACTION WAS MADE.

LEG. FISHER:

SO HAVE WE SMOOTHED THE PROCESS BETWEEN THE BUDGET OFFICE AND THE COMPTROLLER'S OFFICE?

LEG. CRECCA:

YES.

LEG. FISHER:

EVERYBODY IS COPACETIC?

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LEG. CRECCA:

OH, THEY'RE ALL SINGING TOGETHER IN HARMONY, IT'S BEAUTIFUL.

LEG. FISHER:

GOOD TO HEAR IT.

MR. KNAPPE:

FOR THE RECORD, I'D JUST LIKE TO SAY THAT THE COMPTROLLER'S OFFICE HAS BEEN VERY COOPERATIVE WITH US OVER THIS PROCESS.

LEG. FISHER:

I WAS MORE CONCERNED ABOUT THE OTHER DIRECTION.

LEG. CRECCA:

YOU NOTICE HE DIDN'T SAY IT THE OTHER WAY.

LEG. FISHER:

YES.

CHAIRMAN GULDI:

WHAT HAPPENS WHEN YOU VOLUNTEER, YOU WALK UP HERE, YOU STUTTER INTO THE MIKE AND THE NEXT THING YOU KNOW THEY'RE CRITICIZING YOU FOR NOT COOPERATING WITH SOME OTHER DEPARTMENT.

LEG. CRECCA:

AND WITH THE COUNTY EXEC.

CHAIRMAN GULDI:

WHY, YOU CAN'T FIND ANYONE ELSE?

LEG. CRECCA:

I THINK IT'S THE DEMOCRATS THAT HAVE THAT PROBLEM.

CHAIRMAN GULDI:

WE HAVE TOO MANY. I'M CONCERNED, THOUGH, THAT THE TECHNICAL OR THE SCRIBENER'S ERROR IS SUBSTANTIVE, COUNSEL, BECAUSE OF PRECISELY THE DISCUSSION WE JUST HAD.

MR. SABATINO:

IT'S A SUBSTANTIVE CHANGE FROM THE STANDPOINT OF, YOU KNOW, I BELIEVED THAT I WAS TO INCORPORATE THE RECOMMENDATION FROM ERNST & YOUNG. LEGISLATOR CRECCA IS INDICATING TO ME THAT HE COMMUNICATED TO ME THAT IT SHOULD BE THE TB'S, THE EB'S AND THE RB'S. IF THAT WAS A MISUNDERSTANDING ON MY PART, BECAUSE HE COMMUNICATED THAT TO ME, THEN I FEEL RESPONSIBLE FOR IT BEING, YOU KNOW, A TECHNICAL ERROR, BUT I BELIEVE THE INSTRUCTION TO BE FOLLOWED, WHAT WAS IN THE RECOMMENDATION.

LEG. CRECCA:

AND I HAVE TO ADMIT THAT THERE WAS COMMUNICATIONS BACK AND FORTH. THE PROBLEM WAS, AND IT'S NOT COUNSEL, I WAS DEALING WITH, COMMUNICATING TO FRED POLLERT IN BUDGET REVIEW, TO PAUL AND THEN THERE WAS, LIKE I SAID, WELL, MAKE SURE YOU TALK TO PAUL ABOUT THAT, AND SO IT PROBABLY DID GET LOST IN THE TRANSLATION SOMEPLACE. SO CERTAINLY, I'M NOT BLAMING IT ON COUNSEL.

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CHAIRMAN GULDI:

JUST THE TROUBLE IS THAT TO CALL IT A SCRIBENER'S ERROR IS A STRETCH FOR ME. I WANT TO SUPPORT THE BILL, I WANT TO --

LEG. CRECCA:

CAN WE GET A CN ON THE AMENDED BILL?

CHAIRMAN GULDI:

I WOULD PREFER --

MR. KNAPPE:

I WILL SUBMIT YOUR REQUEST. I CAN'T CONFIRM AT THIS POINT IN TIME IF WE'RE ABLE TO DO A CERTIFICATE OF NECESSITY.

CHAIRMAN GULDI:
YOU CAN'T FIND ANYONE TO SIGN ONE?

MR. KNAPPE:
I DIDN'T SAY THAT.

CHAIRMAN GULDI:
SORRY.

MR. SABATINO:
IF YOU DON'T GET THE CN, WHAT DO IS YOU COULD ADOPT THIS RESOLUTION AND THEN WE CAN DO A TECHNICAL CORRECTION RESOLUTION TO ADD THE RB AND THE EB.

LEG. CRECCA:
SO THEN DON'T DO THE SCRIBENER'S ERROR.

CHAIRMAN GULDI:
ALL RIGHT.

LEG. CRECCA:
I'M NOT LOOKING TO SUBVERT THE SYSTEM OR WHATEVER AND --

CHAIRMAN GULDI:
IT'S JUST THAT I DON'T THINK ON THIS, GIVEN ESPECIALLY WHAT WE'RE DOING, I THINK WE SHOULD ADHERE STRICTLY TO OUR OWN RULES.

LEG. CRECCA:
BUT, KENNY, PLEASE GO BACK AND TELL THEM, BECAUSE -- I UNDERSTAND BECAUSE THERE'S A MONTH BETWEEN MEETINGS, THEY'RE NOT GOING TO WANT TO -- THEY'RE GOING TO WANT TO MOVE THIS THING THROUGH. FROM WHAT I UNDERSTAND, THEY NEED THIS IN ORDER TO REALLY CATCH UP AND GET THINGS GOING.

CHAIRMAN GULDI:
SO THE MOTION TO APPROVE IS THE BILL AS WRITTEN AND THE SECOND IS ON THAT QUESTION. ALL THOSE IN FAVOR? OPPOSED? APPROVED.
(VOTE: 6-0-0-1) (ABSENT: HALEY) APPROVED

LEG. CRECCA:
COUNSEL, WILL YOU PREPARE THE CN THEN OR THE NEW BILL? OBVIOUSLY YOU CAN'T PREPARE THE CN, BUT YOU CAN PREPARE THE NEW BILL?

MR. SABATINO:
IT WILL BE AVAILABLE IF THE CN IS ISSUED, ABSOLUTELY.

LEG. CRECCA:
OKAY. THANK YOU.

SENSE RESOLUTIONS

8-2003. MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS TO ENACT FEDERAL TAX PLAN. ASSIGNED TO WAYS & MEANS, REAL ESTATE TRANSACTIONS, FINANCE. (BINDER)

CHAIRMAN GULDI:
SENSE NUMBER 8. NOW WE'RE NOT GOING TO TELL CONGRESS WHAT TO DO, MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS TO ENACT FEDERAL TAX CUT PLAN.

LEG. FISHER:
ACTUALLY, MR. CHAIR, I THOUGHT THAT WE WERE TRYING TO MOVE AWAY FROM SENSE RESOLUTIONS.

CHAIRMAN GULDI:
ACTUALLY, WHAT I THINK I JUST LEFT ON MR. MYSTAL'S DESK A COPY OF MR. STOCKMAN'S BOOK ABOUT THE TRIUMPH OF POLITICS AND WHY THE TAX CUT PLAN DIDN'T WORK UNDER THE REAGAN ADMINISTRATION.

LEG. BISHOP:
ARE WE DEBATING THAT?

CHAIRMAN GULDI:
I SUGGEST THAT WE ASSIGN IT TO LEGISLATOR BINDER AS REQUIRED READING.

LEG. FISHER:
BUT MY QUESTION IS NOT ON THE SUBSTANCE OF THE SENSE RESOLUTION, BUT RATHER THAT WE NOT EVEN ENTERTAIN SENSE RESOLUTIONS THAT DON'T HAVE A DIRECT IMPACT ON COUNTY GOVERNMENT.

LEG. BISHOP:
IN THIS CASE I WOULD ARGUE THAT IT PROBABLY DOES HAVE A DIRECT IMPACT ON COUNTY GOVERNMENT.

LEG. FISHER:
YEAH, IT'S MAKING US BROKE.

LEG. BISHOP:
EXACTLY. SO I THINK THAT WE SHOULD DO WITH IT WHAT IT DESERVES TO BE DONE.

CHAIRMAN GULDI:
I DON'T HEAR ANY MOTION.

LEG. FISHER:

MOTION TO APPROVE FOR THE PURPOSES OF DEFEAT.

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LEG. BISHOP:
SECOND.

CHAIRMAN GULDI:
MOTION TO APPROVE FOR THE PURPOSES OF DEFEAT BY LEGISLATOR FISHER,
SECONDED BY BISHOP. DISCUSSION? ALL THOSE IN FAVOR? OPPOSED?

LEG. FISHER:
OPPOSED.

LEG. FIELDS:
OPPOSED.

LEG. BISHOP:
OPPOSED.

LEG. CRECCA:
I'M GOING TO ABSTAIN.

CHAIRMAN GULDI:
ALL THOSE IN FAVOR?

LEG. CRECCA:
LAST I CHECKED, WE DON'T HAVE THE AUTHORITY TO --

CHAIRMAN GULDI:
TO TELL CONGRESS WHAT TO DO?

LEG. FISHER:
RIGHT. WE DON'T HAVE THE AUTHORITY.

LEG. CRECCA:
WELL, WE ALWAYS DO IT THOUGH, ANYWAY.

CHAIRMAN GULDI:
ALL THOSE IN FAVOR? IS ANYONE IN FAVOR? ANYONE OPPOSED?

LEG. BISHOP:
I'M OPPOSED.

LEG. FIELDS:
CAN I ASK A QUESTION?

CHAIRMAN GULDI:
ON THE MOTION.

LEG. FIELDS:

WHEN WE VOTED FOR THE NEW RULES, WAS THIS NOT PART OF THAT, THAT
MEMORIALIZING RESOLUTIONS?

CHAIRMAN GULDI:

COUNSEL?

MR. SABATINO:

THAT WASN'T CHANGED. THE PRESIDING OFFICER HAD JUST EXPRESSED A --

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LEG. FIELDS:

ALL RIGHT.

MR. SABATINO:

--A SENSE.

LEG. BISHOP:

WHILE WE DON'T HAVE FOREIGN POLICY POWERS, WE ARE IN A FEDERALIST SYSTEM
AND WE ARE IMPACTED BY FISCAL DECISIONS MADE IN WASHINGTON.

CHAIRMAN GULDI:

UNDER WHAT CLAUSE OF THE CONSTITUTION WOULD THAT BE? LEGISLATOR
CARACCILO.

LEG. CARACCILO:

MR. CHAIRMAN, I WOULD AGREE WITH CERTAIN ASPECTS OF THE PLAN AS I
UNDERSTAND IT, BUT I DON'T THINK ANYONE ON THIS COMMITTEE OR IN THIS
LEGISLATURE IS FULLY INFORMED --

CHAIRMAN GULDI:

I DON'T THINK WE HAVE THE FULL --

LEG. CARACCILO:

-- OF THE IMPACT, SO I'M GOING TO ABSTAIN.

CHAIRMAN GULDI:

NOW CAN CALL THE VOTE. ALL THOSE IN FAVOR? NONE. OPPOSED?
YES.

LEG. FIELDS:

OPPOSED.

LEG. FISHER:

OPPOSED.

LEG. BISHOP:

OPPOSED.

CHAIRMAN GULDI:
FOUR. ABSTENTIONS?

LEG. CRECCA:
ABSTAIN.

LEG. CARACCILO:
ABSTAIN.

CHAIRMAN GULDI:
TWO. DEFEATED, ZERO-FOUR-TWO. (VOTE: 0-4-2-1) (OPPOSED: GULDI, FISHER, FIELDS, BISHOP) (ABSTENTIONS: CARACCILO, CRECCA) (ABSENT: HALEY)
DEFEATED

CHAIRMAN BISHOP:
DO WE HAVE ANY OTHER ISSUES OR SPEAKERS BEFORE THE COMMITTEE? OKAY.
WE HAVE HOW MANY CASES FOR EXEC. SESSION? I SEE THREE. A MOTION TO GO
TO EXECUTIVE SESSION TO DISCUSS LITIGATION SETTLEMENTS WITH THE LAW

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DEPARTMENT. APPROVING THE PRESENCE OF COUNSEL OF THE LEGISLATURE,
BUDGET REVIEW OFFICE, INSURANCE AND RISK MANAGEMENT. MOTION BY MYSELF,
SECOND BY LEGISLATOR CRECCA. DISCUSSION? ALL THOSE IN FAVOR?
OPPOSED?

WE WILL COME BACK FROM EXECUTIVE SESSION TO NOTE THE TIME ONLY THAT WE
CAME OUT OF EXEC. SESSION AND I'LL SEND ONE OF MY STAFF TO THE
STENOGRAPHER TO DO THAT.

(EXECUTIVE SESSION: 12:20 P.M. - 12:45 P.M.)

(THE MEETING WAS ADJOURNED AT 12:45 P.M.)

{ } DENOTES BEING SPELLED PHONETICALLY

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